

## AGENDA

### General Policy Committee Meeting

September 11, 2024

9:00 AM

Location

San Bernardino County Transportation Authority

*First Floor Lobby Board Room*

1170 W. 3rd Street, San Bernardino, CA 92410

### *General Policy Committee Membership*

*Chair – Vice President*

Rick Denison, Council Member  
*Town of Yucca Valley*

*President*

Ray Marquez, Council Member  
*City of Chino Hills*

*Past President*

Dawn Rowe, Supervisor  
*County of San Bernardino*

*West Valley Representatives*

John Dutrey, Mayor  
*City of Montclair*

Alan Wapner, Council Member  
*City of Ontario*

Jesse Armendarez, Supervisor  
*County of San Bernardino*

*Mt./Desert Representatives*

Debra Jones, Council Member  
*City of Victorville*

Art Bishop, Mayor Pro Tem  
*Town of Apple Valley*

*East Valley Representatives*

Frank Navarro, Mayor  
*City of Colton*

Larry McCallon, Mayor Pro Tem  
*City of Highland*

Helen Tran, Mayor  
*City of San Bernardino*

Joe Baca, Jr., Supervisor  
*County of San Bernardino*

**San Bernardino County Transportation Authority  
San Bernardino Council of Governments**

**AGENDA**

**General Policy Committee Meeting**

**September 11, 2024**

**9:00 AM**

**Location**

**SBCTA**

**First Floor Lobby Board Room**

**1170 W. 3rd Street, San Bernardino, CA 92410**

**Items listed on the agenda are intended to give notice to members of the public of a general description of matters to be discussed or acted upon. The posting of the recommended actions does not indicate what action will be taken. The Board may take any action that it deems to be appropriate on the agenda item and is not limited in any way by the notice of the recommended action.**

To obtain additional information on any items, please contact the staff person listed under each item. You are encouraged to obtain any clarifying information prior to the meeting to allow the Board to move expeditiously in its deliberations. Additional ***“Meeting Procedures”*** and agenda explanations are attached to the end of this agenda.

**CALL TO ORDER**

(Meeting Chaired by Rick Denison)

- i. Pledge of Allegiance
- ii. Attendance
- iii. Announcements
- iv. Agenda Notices/Modifications - Mayra Alfaro

**Public Comment**

**Brief Comments from the General Public**

**Note: Public Comment on items listed on this agenda will be allowed only during this committee meeting. No public comment will be allowed on committee items placed on the Consent Agenda at the Board of Directors meeting. If an item has substantially changed after consideration during the committee meeting, the item will be placed on Discussion for Board and public comment will be allowed.**

## **Possible Conflict of Interest Issues**

Note agenda item contractors, subcontractors and agents which may require member abstentions due to conflict of interest and financial interests. Board Member abstentions shall be stated under this item for recordation on the appropriate item.

### **1. Information Relative to Possible Conflict of Interest**

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Note agenda items and contractors/subcontractors, which may require member abstentions due to possible conflicts of interest.

**This item is prepared monthly for review by Board and Committee members.**

## **INFORMATIONAL ITEMS**

Items listed are receive and file items and are expected to be routine and non-controversial. Unlike the Consent Calendar, items listed as Informational Items do not require a vote.

### **2. August 2024 Procurement Report**

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Receive the August 2024 Procurement Report.

**Presenter: Alicia Bullock**

**This item is not scheduled for review by any other policy committee or technical advisory committee.**

## **DISCUSSION ITEMS**

### **Discussion - Administrative Matters**

#### **3. Procurement Audit Results for Fiscal Years 2020/2021, 2021/2022, and 2022/2023**

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Receive and file the audit of San Bernardino County Transportation Authority's procurement files resulting in one exception for Fiscal Years 2020/2021, 2021/2022, and 2022/2023.

**Presenter: Alicia Bullock**

**This item is not scheduled for review by any other policy committee or technical advisory committee.**

#### **4. Fiscal Year 2024/2025 Budget Action Plan - First Quarter Report**

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Receive the Fiscal Year 2024/2025 Budget Action Plan – First Quarter Report.

**Presenter: Raymond Wolfe**

**This item is not scheduled for any other policy committee or technical advisory committee review.**

#### **5. Fiscal Year 2024/2025 Budget Amendments**

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That the General Policy Committee recommend the Board, acting as the San Bernardino County Transportation Authority and the San Bernardino Council of Governments:

A. Approve the creation of the new fund, Fund 2801 – State One-time Awards to account for one-time state funding, to include the award for Priority Legislative Budget Projects Assembly Bill 179 for Task No. 0941.

B. Approve amendments to the Fiscal Year 2024/2025 Budget for Task No. 0941 – Mountain/Desert Planning and Project Development to decrease fund (Fund 6010) by \$500,000 and to increase the State One-time Award fund (Fund 2801) by \$750,000.

Agenda Item 5 (cont.)

C. Approve an amendment to the Fiscal Year 2024/2025 Budget for Task No. 0155 - Fringe to decrease the Indirect Cost Allocation Fund (Fund 7110) by \$2,521,000.

D. Approve an amendment to the Fiscal Year 2024/2025 Budget for Task No. 0860 - Arterial Projects to add Local Bridge Seismic Retrofit Account-Proposition 1B (Fund 2622) of \$266,463.

E. Approve an amendment to the Fiscal Year 2024/2025 Budget for Task No. 0805 – Building Operations to increase the Indirect Cost Fund (Fund 7001) by \$331,663.

F. Approve an amendment to the Fiscal Year 2024/2025 Budget for Task No. 0511 – Council of Governments to decrease the State of California Department of Parks and Recreation (Fund 2666) by \$230,000.

G. Approve an amendment to the Fiscal Year 2024/2025 Budget for Task No. 0750 - Express Lane Operations to increase the Interstate 10 Express Lanes Contract 1 (Fund 7550) by \$1,000,000 from the Measure I Backstop.

**Presenter: Lisa Lazzar**

**This item is not scheduled for review by any other policy committee or technical advisory committee.**

**Discussion - Council of Governments**

**6. San Bernardino Region Public Procurement Memorandum**

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That the General Policy Committee recommend the Board, acting as the San Bernardino County Transportation Authority:

A. Receive the San Bernardino Region Public Procurement Memorandum.

B. Direct staff to use the San Bernardino Region Public Procurement Memorandum as a reference for identifying work plan options.

**Presenter: Monique Reza-Arellano**

**This item is scheduled for review by the City/County Managers’ Technical Advisory Committee on October 3, 2024. This item is not scheduled for any other policy committee or technical advisory committee review.**

**Comments from Board Members**

**Brief Comments from Board Members**

**ADJOURNMENT**

**Additional Information**

Attendance

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Acronym List

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Mission Statement

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**The next General Policy Committee meeting is scheduled for October 9, 2024.**

## **Meeting Procedures and Rules of Conduct**

**Meeting Procedures** - The Ralph M. Brown Act is the state law which guarantees the public's right to attend and participate in meetings of local legislative bodies. These rules have been adopted by the Board of Directors in accordance with the Brown Act, Government Code 54950 et seq., and shall apply at all meetings of the Board of Directors and Policy Committees.

**Accessibility & Language Assistance** - The meeting facility is accessible to persons with disabilities. A designated area is reserved with a microphone that is ADA accessible for public speaking. A designated section is available for wheelchairs in the west side of the boardroom gallery. If assistive listening devices, other auxiliary aids or language assistance services are needed in order to participate in the public meeting, requests should be made through the Clerk of the Board at least three (3) business days prior to the Board meeting. The Clerk can be reached by phone at (909) 884-8276 or via email at [clerkoftheboard@gosbcta.com](mailto:clerkoftheboard@gosbcta.com) and office is located at 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino, CA.

Service animals are permitted on SBCTA's premises. The ADA defines service animals as dogs or miniature horses that are individually trained to do work or perform tasks for people with disabilities. Under the ADA, service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work, or the individual's disability prevents using these devices. In that case, the individual must maintain control of the animal through voice, signal, or other effective controls.

**Accesibilidad y asistencia en otros idiomas** - Las personas con discapacidad pueden acceder a la sala de reuniones. Se reserva una zona designada con un micrófono accesible que cumple con los requisitos de la ADA para hablar en público. Una sección designada está disponible para sillas de ruedas en el lado oeste de la galería de la sala de reuniones. Si se necesitan dispositivos de ayuda auditiva, otras ayudas auxiliares o servicios de asistencia en otros idiomas para participar en la reunión pública, las solicitudes deben presentarse al Secretario de la Junta al menos tres (3) días hábiles antes de la fecha de la reunión de la Junta. Puede comunicarse con el Secretario llamando al (909) 884-8276 o enviando un correo electrónico a [clerkoftheboard@gosbcta.com](mailto:clerkoftheboard@gosbcta.com). La oficina se encuentra en 1170 W. 3<sup>rd</sup> Street, 2<sup>nd</sup> Floor, San Bernardino, CA.

Los animales de servicio están permitidos en las instalaciones de SBCTA. La ADA define a los animales de servicio como perros o caballos miniatura que son entrenados individualmente para hacer trabajo o realizar tareas para personas con discapacidades. Según la ADA, los animales de servicio deben tener un arnés o ser atados, a menos que estos dispositivos interfieran con el trabajo del animal de servicio, o que la discapacidad de la persona impida el uso de estos dispositivos. En ese caso, la persona debe mantener el control del animal a través de su voz, señales u otros controles efectivos.

**Agendas** – All agendas are posted at [www.gosbcta.com/board/meetings-agendas/](http://www.gosbcta.com/board/meetings-agendas/) at least 72 hours in advance of the meeting. Staff reports related to agenda items may be reviewed online at that web address. Agendas are also posted at 1170 W. 3<sup>rd</sup> Street, 1st Floor, San Bernardino at least 72 hours in advance of the meeting.

**Agenda Actions** – Items listed on both the “Consent Calendar” and “Discussion” contain recommended actions. The Board of Directors will generally consider items in the order listed on the agenda. However, items may be considered in any order. New agenda items can be added and action taken as provided in the Ralph M. Brown Act Government Code Sec. 54954.2(b).

**Closed Session Agenda Items** – Consideration of closed session items excludes members of the public. These items include issues related to personnel, pending litigation, labor negotiations and real estate negotiations. Prior to each closed session, the President of the Board or Committee Chair (“President”) will announce the subject matter of the closed session. If reportable action is taken in closed session, the President shall report the action to the public at the conclusion of the closed session.

**Public Testimony on an Item** – Members of the public are afforded an opportunity to speak on any listed item, except Board agenda items that were previously considered at a Policy Committee meeting where there was an opportunity for public comment. Individuals in attendance at SBCTA who desire to speak on an item may complete and turn in a "Request to Speak" form, specifying each item an individual wishes to speak on. Individuals may also indicate their desire to speak on an agenda item when the President asks for public comment. When recognized by the President, speakers should be prepared to step forward and announce their name for the record. In the interest of facilitating the business of the Board, speakers are limited to three (3) minutes on each item. Additionally, a twelve (12) minute limitation is established for the total amount of time any one individual may address the Board at any one meeting. The President or a majority of the Board may establish a different time limit as appropriate, and parties to agenda items shall not be subject to the time limitations. Any individual who wishes to share written information with the Board may provide 35 copies to the Clerk of the Board for distribution. If providing written information for distribution to the Board, such information must be emailed to the Clerk of the Board, at [clerkoftheboard@gosbcta.com](mailto:clerkoftheboard@gosbcta.com), no later than 5:00 pm the day before the meeting in order to allow sufficient time to distribute the information. Information provided as public testimony is not read into the record by the Clerk. Consent Calendar items can be pulled at Board member request and will be brought up individually at the specified time in the agenda. Any consent item that is pulled for discussion shall be treated as a discussion item, allowing further public comment on those items.

**Public Comment** –An opportunity is also provided for members of the public to speak on any subject within the Board’s jurisdiction. Matters raised under “Public Comment” will not be acted upon at that meeting. See, “Public Testimony on an Item,” above.

**Disruptive or Prohibited Conduct** – If any meeting of the Board is willfully disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting impossible, the President may recess the meeting or order the person, group or groups of person willfully disrupting the meeting to leave the meeting or to be removed from the meeting. Disruptive or prohibited conduct includes without limitation addressing the Board without first being recognized, not addressing the subject before the Board, repetitiously addressing the same subject, failing to relinquish the podium when requested to do so, bringing into the meeting any type of object that could be used as a weapon, including without limitation sticks affixed to signs, or otherwise preventing the Board from conducting its meeting in an orderly manner.

Your cooperation is appreciated!

**General Practices for Conducting Meetings**  
**of**  
**Board of Directors and Policy Committees**

**Attendance.**

- The President of the Board or Chair of a Policy Committee (Chair) has the option of taking attendance by Roll Call. If attendance is taken by Roll Call, the Clerk of the Board will call out by jurisdiction or supervisorial district. The Member or Alternate will respond by stating his/her name.
- A Member/Alternate who arrives after attendance is taken shall announce his/her name prior to voting on any item.
- A Member/Alternate who wishes to leave the meeting after attendance is taken but before remaining items are voted on shall announce his/her name and that he/she is leaving the meeting.

**Basic Agenda Item Discussion.**

- The Chair announces the agenda item number and states the subject.
- The Chair calls upon the appropriate staff member or Board Member to report on the item.
- The Chair asks members of the Board/Committee if they have any questions or comments on the item. General discussion ensues.
- The Chair calls for public comment based on “Request to Speak” forms which may be submitted.
- Following public comment, the Chair announces that public comment is closed and asks if there is any further discussion by members of the Board/Committee.
- The Chair calls for a motion from members of the Board/Committee. Upon a motion, the Chair announces the name of the member who makes the motion. Motions require a second by a member of the Board/Committee. Upon a second, the Chair announces the name of the Member who made the second, and the vote is taken.
- The “aye” votes in favor of the motion shall be made collectively. Any Member who wishes to oppose or abstain from voting on the motion shall individually and orally state the Member’s “nay” vote or abstention. Members present who do not individually and orally state their “nay” vote or abstention shall be deemed, and reported to the public, to have voted “aye” on the motion.
- Votes at teleconferenced meetings shall be by roll call, pursuant to the Brown Act, or, at any meeting, upon the demand of five official representatives present or at the discretion of the presiding officer.

**The Vote as specified in the SBCTA Administrative Code and SANBAG Bylaws.**

- Each Member of the Board of Directors shall have one vote. In the absence of the official representative, the Alternate shall be entitled to vote. (Note that Alternates may vote only at meetings of the Board of Directors, Metro Valley Study Session and Mountain/Desert Policy Committee.)

### **Amendment or Substitute Motion.**

- Occasionally a Board Member offers a substitute motion before the vote on a previous motion. In instances where there is a motion and a second, the Chair shall ask the maker of the original motion if he or she would like to amend the motion to include the substitution or withdraw the motion on the floor. If the maker of the original motion does not want to amend or withdraw, the substitute motion is voted upon first, and if it fails, then the original motion is considered.
- Occasionally, a motion dies for lack of a second.

### **Call for the Question.**

- At times, a Member of the Board/Committee may “Call for the Question.”
- Upon a “Call for the Question,” the Chair may order that the debate stop or may allow for limited further comment to provide clarity on the proceedings.
- Alternatively, and at the Chair’s discretion, the Chair may call for a vote of the Board/Committee to determine whether or not debate is stopped.
- The Chair re-states the motion before the Board/Committee and calls for the vote on the item.

### **The Chair.**

- At all times, meetings are conducted in accordance with the Chair’s direction.
- These general practices provide guidelines for orderly conduct.
- From time to time, circumstances may require deviation from general practice (but not from the Brown Act or agency policy).
- Deviation from general practice is at the discretion of the Chair.

### **Courtesy and Decorum.**

- These general practices provide for business of the Board/Committee to be conducted efficiently, fairly and with full participation.
- It is the responsibility of the Chair and Members to maintain common courtesy and decorum.

*Adopted By SANBAG Board of Directors January 2008*

*Revised March 2014*

*Revised May 4, 2016*

*Revised June 7, 2023*



### *Minute Action*

AGENDA ITEM: 1

**Date:** *September 11, 2024*

**Subject:**

Information Relative to Possible Conflict of Interest

**Recommendation:**

Note agenda items and contractors/subcontractors, which may require member abstentions due to possible conflicts of interest.

**Background:**

In accordance with California Government Code 84308, members of the Board may not participate in any action concerning a contract where they have received a campaign contribution of more than \$250 in the prior twelve months from an entity or individual, except for the initial award of a competitively bid public works contract. This agenda contains recommendations for action relative to the following contractors:

Item No.	Contract No.	Principals & Agents	Subcontractors
		None	

**Financial Impact:**

This item has no direct impact on the Budget.

**Reviewed By:**

This item is prepared monthly for review by Board and Committee members.

**Responsible Staff:**

Carrie Schindler, Deputy Executive Director

Approved  
General Policy Committee  
Date: September 11, 2024

Witnessed By:

*Entity: San Bernardino Council of Governments, San Bernardino County Transportation Authority*

## *Minute Action*

AGENDA ITEM: 2

***Date:*** *September 11, 2024*

***Subject:***

August 2024 Procurement Report

***Recommendation:***

Receive the August 2024 Procurement Report.

***Background:***

The Board of Directors (Board) adopted the Contracting and Procurement Policy (Policy No. 11000) on January 3, 1997, and approved the last revision on January 4, 2023. The Board authorized the Executive Director, or his designee, to approve: a) contracts and purchase orders up to \$100,000; b) Contract Task Orders (CTO) up to \$500,000 and for CTOs originally \$500,000 or more, increasing the CTO amount up to \$250,000; c) amendments with a zero dollar value; d) amendments to exercise the option term if the option term was approved by the Board in the original contract; e) amendments that cumulatively do-not-exceed 50% of the original contract or purchase order value or \$100,000, whichever is less; f) amendments that do-not-exceed contingency amounts authorized by the Board; and g) release Request for Proposals (RFP), Request for Qualifications (RFQ), and Invitation for Bids (IFB) for proposed contracts from which funding has been approved and the solicitation has been listed in the Annual Budget, and are estimated not-to-exceed \$1,000,000.

The Board further authorized General Counsel to award and execute legal services contracts up to \$100,000 with outside counsel as needed, and authorized Department Directors to approve and execute Contingency Amendments that do-not-exceed contingency amounts authorized by the Board of Directors.

Lastly, the Board authorized CityCom Real Estate Services, Inc. (CityCom) to issue contracts and purchase orders.

Below is a summary of the actions taken by SBCTA authorized staff:

- No new contracts were executed.
- One contract amendment was executed.
- Three CTOs were executed.
- Two CTO amendments were executed.
- Two contingency amendments were executed.
- Five purchase orders were executed.
- No purchase order amendments were executed.
- No IFBs or RFPs were released.

Below is a summary of the actions taken by CityCom:

- No new contracts were executed.
- One new purchase order was executed.

*Entity: San Bernardino Council of Governments, San Bernardino County Transportation Authority*

A list of all Contracts and Purchase Orders that were executed by the Executive Director, Department Director, and/or General Counsel during the month of August 2024 are presented herein as Attachment A, all RFPs and IFBs are presented in Attachment B, and all CityCom’s contracts and purchase orders are presented in Attachment C.

**Financial Impact:**

This item is consistent with the adopted Budget for Fiscal Year 2024/2025. Presentation of the monthly procurement report demonstrates compliance with the Contracting and Procurement Policy.

**Reviewed By:**

This item is not scheduled for review by any other policy committee or technical advisory committee.

**Responsible Staff:**

Alicia Bullock, Procurement Manager

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Approved  
General Policy Committee  
Date: September 11, 2024

Witnessed By:

## Attachment A - 1 August 2024 Contract/Amendment/CTO Actions

Type	Contract Number	Amendment/CTO	Vendor Name	Contract Description	Original Amount	Prior Amendments	Current Amendment	Total Amount	Total On-Call Contract Amount*
Contract Amendment	23-1002833	1	PFM Financial Advisors, LLC	Financial Advisory Services for the Development of an Operations Model for Toll Operations	\$ 71,125.00	\$ -	\$ 35,562.00	\$ 106,687.00	N/A
CTO	23-1002904	CTO No. 6	Mott MacDonald Group Inc.	On-Call Transit and Rail Services - West Valley Connector Quality Manager	\$ 491,000.00	\$ -	\$ -	\$ 491,000.00	\$20,000,000 (available \$14,294,000)
CTO	23-1002995	CTO No. 14	Costin Public Outreach Group	Public Outreach Support for Interstate 10/Mt. Vernon Avenue Interchange	\$ 75,070.00			\$ 75,070.00	\$5,000,000 (available \$2,536,350)
CTO	23-1002995	CTO No. 15	Costin Public Outreach Group	Public Outreach Support for Construction Activities Associated with State Route 210/Waterman Avenue	\$ 51,000.00			\$ 51,000.00	\$5,000,000 (available \$2,485,350)
CTO Amendment	22-1002744	CTO No. 2.3	WSP USA, Inc.	On-Call General Support Services	\$ 75,000.00			\$ 75,000.00	\$20,000,000 (available \$8,630,295)
CTO Amendment	22-1002744	CTO No. 4.3	WSP USA, Inc.	On-Call Engineering Right-of-Way Plan Review	\$ 15,000.00			\$ 15,000.00	\$20,000,000 (available \$8,430,295)

Attachment: August 2024 Procurement Report - PDF (10271 : August 2024 Procurement Report)

\*Total amount authorized for the associated on-call services bench which is typically shared with multiple vendors and controlled via contract task orders (CTO).

**Attachment A - 2**  
**August 2024 Contingency Released Actions**

<b>Contract No. &amp; Contingency No.</b>	<b>Reason for Contingency Amendment (Include a Description of the Contingency Amendment)</b>	<b>Vendor Name</b>	<b>Original Contract Amount</b>	<b>Prior Amendments</b>	<b>Prior Contingencies</b>	<b>Current Contingencies</b>	<b>Amended Contract Amount</b>
23-1002971 No. 0A	Cover additional costs to allow more extensive Right-of-Way services and utility coordination tasks which are essential for the Mount Vernon Viaduct Project.	Anser Advisory Management, LLC.	\$ 3,655,940.60	\$ -	\$ -	\$ 104,747.85	\$ 3,760,688.45
15-1001251 No. 6C	Design support during construction for contractor Request for Information and coordination with Resident Engineer for review of garden wall over San Bernardino County Flood Control District channel and fabrication of tile for City seal on bridge wall for the State Route 60 Central Avenue Interchange Project.	AECOM Technical Services, Inc.	\$ 2,012,549.64	\$ 739,011.37	\$ -	\$ 4,236.00	\$ 2,755,797.01

Attachment: August 2024 Procurement Report - PDF (10271 : August 2024 Procurement Report)

Attachment A - 3

August 2024 Purchase Order and Purchase Order Amendment Actions

Type	PO No.	PO Posting Date	Vendor Name	Description of Services	Original Purchase Order Amount	Prior Amendments	Current Amendment	Total Purchase Order Amount
New PO	4002514	8/9/24	INTELLI-TECH	Fortigate Services Annual Renewal	\$ 2,040.00	\$ -	\$ -	\$ 2,040.00
New PO	4002521	8/16/24	Environmental Systems Research (ESRI)	ESRI Software License Renewal for Fiscal Year 2025	\$ 19,610.00	\$ -	\$ -	\$ 19,610.00
New PO	4002522	8/16/24	San Bernardino County Sheriff's Department Bureau of Administration	Fiscal Year 2024/2025 Sheriff Deputies for Board and Committee Meetings	\$ 9,500.00	\$ -	\$ -	\$ 9,500.00
New PO	4002533	8/23/24	ENVOY, INC.	ENVOY Visitor System Software Renewal 2024-2025	\$ 7,476.60	\$ -	\$ -	\$ 7,476.60
New PO	4002535	8/15/2024	County of San Bernardino	City County Conference Fee Reimbursement 2024	\$ 65,448.23	\$ -	\$ -	\$ 65,448.23

Attachment: August 2024 Procurement Report - PDF (10271 : August 2024 Procurement Report)

**Attachment B**  
**August 2024 RFP's, RFQ's and IFB's**

Release Date	RFP/RFQ/IFB No.	Anticipated Dollar Amount	Anticipated Award Date	Description of Overall Program and Program Budget
None				

**Attachment C**  
**August 2024 CityCom's Issued Purchase Orders/Contracts**

PO/Contract No.	Vendor Name	Description of Services	Total Amount
PO No. SBCTA50329	Vortex	Boardroom double doors, replace latch and keypad	\$ 4,060.00



## *Minute Action*

AGENDA ITEM: 3

***Date:*** *September 11, 2024*

***Subject:***

Procurement Audit Results for Fiscal Years 2020/2021, 2021/2022, and 2022/2023

***Recommendation:***

Receive and file the audit of San Bernardino County Transportation Authority's procurement files resulting in one exception for Fiscal Years 2020/2021, 2021/2022, and 2022/2023.

***Background:***

Over the last few years, several improvements and changes have occurred in Procurement. Procurement processes have been centralized and additional procurement staff has been hired to process and maintain all of the agency's procurements. In an effort to ensure all improvements, procedures, and internal controls are in compliance, an auditing firm is procured every two years to review several contract audit files. Due to staff changes in Procurement this audit covered three years.

Crowe LLP (Crowe) was selected based on bids obtained from San Bernardino County Transportation Authority's (SBCTA) bench of audit firms under contract. Crowe selected four Federally funded procurement files out of a pool of eight closed solicitations conducted within the last three years. Crowe's report is provided as Attachment A.

The audit resulted in one exception noted, which was a California Department of Transportation (Caltrans) 10-02 Consultant Contract DBE Commitment form being submitted four days after the required due date. This was due to the form being signed on a Friday by the Procurement Manager and then sent to Caltrans on Monday by the Procurement Analyst. The process during the time of this audit was the Caltrans 10-02 Consultant Contract DBE Commitment form was submitted to the Procurement Analyst by the firm and the Procurement Analyst would send it to the Procurement Manager for signature and once signed, the Procurement Analyst would send it back to Caltrans. In order to address this audit exception, the new process will be that once the Procurement Analyst sends the Caltrans 10-02 Consultant Contract DBE Commitment form to the Procurement Manager for signature the Procurement Manager will then send it to Caltrans directly. Although, SBCTA had one minor exception noted this report confirms that SBCTA follows its own procurement policy and procedures.

***Financial Impact:***

This item has no financial impact on the adopted Budget for Fiscal Year 2024/2025. The audit contract costs are budgeted in the General- Indirect Fund.

***Reviewed By:***

This item is not scheduled for review by any other policy committee or technical advisory committee.

***Responsible Staff:***

Alicia Bullock, Procurement Manager

*Entity: San Bernardino County Transportation Authority*

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Approved  
General Policy Committee  
Date: September 11, 2024

Witnessed By:

Attachment A

**SAN BERNARDINO COUNTY  
TRANSPORTATION AUTHORITY**

Independent Accountant's Report on  
Applying Agreed-Upon Procedures

For Completed Federal Procurements  
from Fiscal Years 2020/2021,  
2021/2022, and 2022/2023

INDEPENDENT ACCOUNTANT’S  
REPORT ON APPLYING AGREED-UPON  
PROCEDURES ON COMPLETED FEDERAL  
PROCUREMENTS

San Bernardino County Transportation Authority  
1170 West 3rd Street, 2nd Floor  
San Bernardino, CA 92410

We have performed the procedures enumerated below on completed Federal procurements by San Bernardino County Transportation Authority for Fiscal Years 2020/2021, 2021/2022, and 2022/2023. SBCTA is responsible for the procurements.

SBCTA has agreed and acknowledged that the procedures performed are appropriate to gain an understanding of the completed Federal procurements by San Bernardino County Transportation Authority for Fiscal Years 2020/2021, 2021/2022, and 2022/2023. We make no representation regarding the appropriateness of the procedures either for the purpose for which this report has been requested or for any other purpose. This report may not be suitable for any other purpose. The procedures performed may not address all the items of interest to a user of this report and may not meet the needs of all users of this report and, as such, users are responsible for determining whether the procedures performed are appropriate for their purposes. An agreed-upon procedures engagement involves performing specific procedures that the engaging party has agreed to and acknowledged to be appropriate for the intended purpose of the engagement and reporting on findings based on the procedures performed.

See table below for the population provided by SBCTA and the samples selected for the performance of procedures by Crowe:

<b>Program</b>	<b>Contract Description</b>	<b>Sampled (Y/N)</b>
FHWA	RFP22-1002775 US 395 Phase 2 Professional Services	N
FHWA	IFB22-1002780 North 1st Avenue Bridge over BNSF Railroad	Y
FHWA	RFP22-1002722 I-10 Freight and Express Lanes	N
FHWA	RFP21-1002469 Construction Management (CM) services for the North 1 <sup>st</sup> Avenue Bridge over BNSF Railroad	N
FHWA	RFP23-1002844 Right of Way Services for US395 Phase 2 Project	Y
FTA	RFP21-1002662 West Valley Connector CM	Y
FTA	RFP22-1002744 On-call Transit and Rail Services	N
FTA	RFP21-1002452 PCM Ontario Loop	Y

The procedures and the associated results are detailed on the following pages.

## Agreed Upon Procedures and Results

The procedures and the associated findings are as follows:

1. Select a random sample of 50% of completed federal procurements from Fiscal Year 2020/2021, 2021/2022, and 2022/2023 listed in the table appearing on the page above. The sample must include two procurements funded with FHWA and two funded with FTA. If the random sample result does not include at least two procurements funded with FHWA and two funded with FTA, randomly select additional FHWA and/or FTA procurements from the population until there is at least two of each included in the selection.

**Results – No exceptions noted.** See table on previous page for sample selected.

2. Trace each procurement's audit contract file to the procurement file "Table of Contents" listed in Exhibit C. An exception will be noted if the supporting documentation is not included in the contract file.

**Results – No exceptions noted.**

3. For all federal-aid contracts sampled from procedure 1 above, observe that the contract agreement contains the required provisions identified in Section IX General Federal Requirements of SBCTA's Procedure 11000 Procurement Manual.

**Results – No exceptions noted.**

4. For FHWA contracts sampled from procedure 1 above, complete the following:
  - a. Observe that the SBCTA executed a contract type identified as allowable by Caltrans, which includes: 1) Actual Cost-Plus-Fixed-Fee; 2) Cost Per Unit of Work; 3) Specific Rates of Compensation; and 4) Lump Sum or Fixed Firm Price. In addition, compare the contract components to the contract type component requirements specified in Section X Federal Highways Administration of SBCTA's Procedure 11000 Procurement Manual and observe that SBCTA executed the proper contract type.

**Results – No exceptions noted.**

- b. For all federal-aid contracts sampled from procedure 1 above, observe that SBCTA completed and submitted an Exhibit 9-D: DBE Contract Goal Methodology form to the DLAE prior to advertisement. For construction contract estimates greater than \$2M and consultant contract estimates greater than \$500K, also observe that the DBE goal was approved by Caltrans, as required by Section 9.7 DBE Contract Participation; Submitting Exhibit 9-D of LAPM Chapter 9.

**Results – No exceptions noted.**

- c. For all construction or consultant contracts sampled from procedure 1 above, observe that SBCTA included the Exhibit 15-G: Construction Contract DBE Commitment or Exhibit 10-O2: Consultant Contract DBE Commitment form in the construction or consultant contract whether or not there is a DBE goal on the contract. Also observe that SBCTA submitted these forms to the DLAE within 30 days of contract execution, as required by Section 9.7 DBE Contract Participation; Local Public Agency Bidder or Proposer DBE Commitment and DBE Information Forms of LAPM Chapter 9.

**Results – One exception noted.**

- i. Crowe noted one instance where SBCTA did not submit timely the Exhibit 10-O2: Consultant Contract DBE Commitment form to the DLAE within 30 days of contract execution. The contract between SBCTA and Epic Land Solutions, Inc. (RFP23-1002844 Right of Way Services for US395 Phase 2 Project) was executed on May 16<sup>th</sup>, 2023, requiring submission to the DLAE by June 15<sup>th</sup>, 2023. SBCTA did not submit the form to the DLAE until June 19<sup>th</sup>, 2023, which is 4 days after the required due date.
- d. For all construction or consultant contracts sampled from procedure 1 above, inquire with SBCTA on whether the contract was completed. If yes, observe that SBCTA obtained a completed Exhibit 17-F: Final Report-Utilization of DBE and First-Tier Subcontractors from the contractor and submitted a copy of the completed form to the DLAE as a part of its Final Report of Expenditure package before final payment, as required by Section 9.7 DBE Contract Participation; Final Report of LAPM Chapter 9.

**Results – No exceptions noted.**

- e. Inquire with SBCTA on whether the contract engaged Architectural and Engineering (A&E) Consultants to develop the federal-aid funded project. If yes, observe that:
  - A) SBCTA obtained ICR supporting documentation from the A&E consultants;
  - B) SBCTA provided Caltrans Independent Office of Audits and Investigations (IOAI) a copy of the Certification of Indirect Costs and Financial Management System form;
  - C) The ICR included on SBCTA's proposal matches the ICR on the Certification of Indirect Costs and Financial Management System form and the consultant's schedule;
  - D) SBCTA maintained documentation that a cost analysis was performed; and
  - E) For consultant contracts with a proposed contract dollar value equal to or greater than \$1M, SBCTA provided IOAI all documents included within the Financial Document Review Request form, as required by Section 10.1.3 A&E Consultant Audit and Review Process; Local Public Agencies' Responsibilities of LAPM Chapter 10.

**Results – No exceptions noted.**

- f. Inquire with SBCTA on whether the contract was for a federally financed "significant NHS project" (as defined by LAPM Chapter 7). If yes, observe that Caltrans and the District Local Assistant Engineer (DLAE) approved SBCTA's construction administration procedures; and that Caltrans provided SBCTA a written Authorization to Proceed with construction before any construction contracts for the project were administered, as required by Section 15.2 Approval for LPA to Administer Projects; Significant NHS Projects of LAPM Chapter 15.

**Results – No exceptions noted.**

- g. If the federally financed construction project was not for a "significant NHS project" as detailed in step 4d above, observe that SBCTA completed the Exhibit 15-A: Local Agency Construction Contract Administration Checklist and received, in writing, an Authorization to Proceed with construction from Caltrans prior to advertising the project, as required by Section 15.2 Approval for LPA to Administer Projects of LAPM Chapter 15.

**Results – No exceptions noted.**

- 5. For FTA contracts sampled from procedure 1 above, complete the following:
  - a. Inquire with SBCTA on whether there were any amendments or change orders issued under the contract. If yes, observe that the amendment or change order is within the scope of the original contract and is not considered an "improper contract expansion" or "cardinal change",

as identified within Section XI Federal Transit Administration of SBCTA's Procedure 11000 Procurement Manual.

**Results – No exceptions noted.**

- b. Inquire with SBCTA on whether there were advance payments to the contractor. If yes, observe that either: the advance payment was for an allowable cost type (rent, tuition, insurance premiums, subscription to publications, software licenses, construction mobilization costs, public utility connections); or SBCTA received prior approval from FTA for the advance payment, as required by Section 2.4.4.2 Advance Payments of the FTA Best Practices Procurement Manual.

**Results – No exceptions noted.**

- c. Inquire with SBCTA on whether the contract was for rolling stock, steel, iron, or manufactured products with a greater value than \$100,000. If yes, observe that SBCTA obtained a certification of compliance or non-compliance with the Buy America requirements for each bid or offer. For instances of contracts awarded to non-compliant contractors, also observe that SBCTA received a waiver from FTA to contract with the entity, as required by Section 4.3.3.2.2 Buy America Certification of the FTA Best Practices Procurement Manual.

**Results – No exceptions noted.**

We were engaged by SBCTA to perform this agreed-upon procedures engagement and conducted our engagement in accordance with attestation standards established by the American Institute of Certified Public Accountants. We were not engaged to and did not conduct an examination or review engagement, the objective of which would be the expression of an opinion or conclusion, respectively, on completed Federal procurements by San Bernardino County Transportation Authority for Fiscal Years 2020/2021, 2021/2022, and 2022/2023. Accordingly, we do not express such an opinion or conclusion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

We are required to be independent of SBCTA and to meet our ethical responsibilities, in accordance with the relevant ethical requirements related to our agreed-upon procedures engagement.

This report is intended solely for the information and use of the SBCTA and is not intended to be, and should not be, used by anyone other than the specified party.

*Crowe LLP*  
Crowe LLP

Los Angeles, California  
June 26, 2024

### ***Minute Action***

AGENDA ITEM: 4

***Date:*** *September 11, 2024*

***Subject:***

Fiscal Year 2024/2025 Budget Action Plan - First Quarter Report

***Recommendation:***

Receive the Fiscal Year 2024/2025 Budget Action Plan – First Quarter Report.

***Background:***

The San Bernardino County Transportation Authority’s (SBCTA) Fiscal Year 2024/2025 Budget Action Plan (BAP) establish the Board of Directors priorities for the year. The Executive Director uses this as a tool with the Executive Management Team to evaluate SBCTA’s progress in achieving the Board’s priorities. The Executive Director or his designee will provide quarterly updates on the status of the goals as listed in the attached BAP.

***Financial Impact:***

This item has no financial impact on the adopted Budget for Fiscal Year 2024/2025.

***Reviewed By:***

This item is not scheduled for any other policy committee or technical advisory committee review.

***Responsible Staff:***

Raymond Wolfe, Executive Director

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Approved  
General Policy Committee  
Date: September 11, 2024

Witnessed By:

*Entity: San Bernardino County Transportation Authority*



Initiative #1: Transparent and Accountable Allocation Strategies				
Division Strategy: Complete timely audits of Measure I and Transportation Development Act recipients				
	Action Plan	Milestones	Milestone Status	Responsibility
1A	Manage and communicate with audit firm to plan and complete annual audits.	Q2		Finance
	Inform Committees and Board of status of audits.	Q3		
	Notes			
Division Strategy: Use strategic programming to ensure that no funds are lost				
	Action Plan	Milestones	Milestone Status	Responsibility
1B	Manage projects closely with California Department of Transportation (Caltrans) to ensure adequate resources are available when projects are ready.	May 1 is Caltrans' deadline for guaranteed access to federal Obligation Authority (OA) – Q4		Fund Administration, Project Delivery, Transit, Planning
		June 30 is California Transportation Commission (CTC) deadline for project allocation or extension requests - Q4		
	Manage projects to ensure funds are not lost.	Request allocation of competitive grant funds and State Transportation Improvement Program (STIP) for I-10 Contract 2 - Q4		Fund Administration
		Request allocation of competitive grant funds for US 395 Phase 2 Q4	First of three allocation requests will be presented to CTC in October 2024.	
		Request allocation of Planning, Programming and Monitoring funds for Fiscal Year 2025/2026 - Q4		
Notes				
Division Strategy: Protect San Bernardino County's equitable share of available state and federal funds				
	Action Plan	Milestones	Milestone Status	Responsibility
1C	Develop funding strategies that maximize resources available and result in opportunities to seize additional state and federal funds.	Release Request for Proposals for Air Quality Consultant to remain eligible for Federal Congestion Mitigation and Air Quality Improvement funding - Q4		Fund Administration
		Nominate projects to SCAG for programming of federal formula funds in accordance with the 2024 Update to the 10-Year Delivery Plan, and the 10-Year Plan for transit operators' implementation of the zero emission bus mandate (pending schedule for call for projects) - Q4	Call for projects schedule has not yet been released.	Fund Administration, Project Delivery, Transit
Notes				

Attachment: FY 24\_25 Budget Action Plan Quarter 1 Update (10734 : Fiscal Year 2024/2025 Budget Action

Division Strategy: Develop long-term bonding needs to help leverage other funds and deliver projects			
Action Plan	Milestones	Milestone Status	Responsibility
1D	Establish plan for sales tax revenue bond program through development of the 2024 Update to the 10-Year Delivery Plan.	Present final 2024 Update to the 10-Year Delivery Plan to the Board for approval - Q3	Fund Administration (Finance, Project Delivery, Transit, Planning)
		Monitor implementation of the 2024 Update to the 10-Year Delivery Plan and Measure 1 revenue receipts to identify need for short-term borrowing – Ongoing	
Notes			
Division Strategy: Manage geographic equity in fund distribution across the County			
Action Plan	Milestones	Milestone Status	Responsibility
1E	Manage long-term strategy for ensuring geographic equity in fund distribution over the life of the Measure.	Monitor results of SCAG project selection for federal formula funds and ensure long-term equity between subareas of San Bernardino County is maintained - Q4	Fund Administration
Notes			
Division Strategy: Manage SBCTA railroad right-of-way in an efficient and comprehensive fashion			
Action Plan	Milestones	Milestone Status	Responsibility
1F	Manage SBCTA railroad right of way in an efficient and comprehensive fashion.	Ongoing	Transit
Notes			
Initiative #2: Engender Public Trust			
Division Strategy: Secure an unmodified opinion of Comprehensive Annual Financial Report (Annual Report)			
Action Plan	Milestones	Milestone Status	Responsibility
2A	Schedule a meeting with Executive Board officers and certified public accountant (CPA) firm to cover audit process and timing.	Q4	Finance
Notes			
Division Strategy: Obtain Certificate of Achievement for Excellence in Financial Reporting			
Action Plan	Milestones	Milestone Status	Responsibility
2B	Apply for Government Finance Officers Association (GFOA) award for the Annual Financial Report (Annual Report).	Q3	Finance
Notes			

Attachment: FY 24\_25 Budget Action Plan Quarter 1 Update (10734 : Fiscal Year 2024/2025 Budget Action

Division Strategy: Obtain Distinguished Budget Presentation Award				
Action Plan	Milestones	Milestone Status	Responsibility	
2C	Apply for GFOA award for annual budget.	Q1	Application submitted in June 2024.	Finance
	Notes			
Division Strategy: Complete internal control self-assessment to identify areas of improvement.				
Action Plan	Milestones	Milestone Status	Responsibility	
2D	Complete review of annual internal control self-assessment (AICA).	Q4		Finance
	Notes			
Division Strategy: Implement the Records Retention Schedule				
Action Plan	Milestones	Milestone Status	Responsibility	
2E	Continue with the implementation of the Records Retention Program, including establishing quarterly meetings with records coordinators, two annual clean up days, a system that will assist tracking which documents have passed retention.	Clean up day - Q1 & Q3	Q1 Cleanup completed in July/August.	Executive Administration and Support, Management Services
		Automate retention to remaining libraries in Laserfiche - Q4		
		Automate retention to four (4) department sites in SharePoint - Q4		
Notes				
Division Strategy: Streamline Agency Operations				
Action Plan	Milestones	Milestone Status	Responsibility	
2F	Update procurement templates.	Q4		Finance, General Counsel
	Begin implementation of new enterprise resource system (accounting system).	Q1	So far have researched beginning of implementation and during implementation. Final recommendation pending feedback from users with post implementation feedback. Targeting recommendation by end of calendar year.	Finance, Project Delivery, Management Services
	Implement Microsoft 365 G5 Licenses.	Q4		Management Services
Notes				

Attachment: FY 24\_25 Budget Action Plan Quarter 1 Update (10734 : Fiscal Year 2024/2025 Budget Action

**Initiative #3: Focus on Creating and Strengthening Collaborative Partnerships with Governmental and Business Entities**

Division Strategy: Work with other governments and business groups to leverage resources for our region's benefit

Action Plan	Milestones	Milestone Status	Responsibility
Prepare tools to assist local agencies with changes to statewide housing policies and environmental regulations.	Update Work Plan for the Council of Governments - Q3	Significant outreach occurred to SBCOG subregions in Q1 to identify activities of greatest interest for the work plan.	COG, General Counsel
	Provide Technical Assistance to jurisdictions through REAP 2.0 Program - Ongoing	Full REAP 2.0 funding provided and MOU executed with SCAG. Projects underway.	
Partner with local and government agencies to improve opportunities in workforce development.	Continue to incorporate small business interests into B2B - Q2		
	Small Business Study to be presented to CCMTAC and Board - Q1	On schedule to present to General Policy Committee in September and CCMTAC in October.	
Establish Housing Trust JPA	Execute JPA with member agencies - Q3	REAP funding secured. Will begin work for the formation of the Trust.	
	Review draft Administrative Plan - Q4		
Smart County Master Plan.	Complete Plan - Q3	Draft received in Q1 and undergoing review.	
Continue close coordination with Brightline West to support their construction along the San Gabriel Subdivision between I-15 and Cucamonga Station, as well as coordinated development of the Cucamonga Station.	Ongoing	Cucamonga station agreements and local rail service agreements approved at the July 2024 Board.	
Complete the RAISE grant agreement and subrecipient agreement for the construction of the Brightline West High Desert Stations.	Q1	Delayed to Q2. FRA and Brightline prioritized finalizing the NDOT \$3 billion grant. Discussions related to the Brightline West High Desert Station will resume once the NDOT grant is finalized.	Transit
Notes			

Division Strategy: Enhance COG role, and leverage synergy of being the CTA and COG

Action Plan	Milestones	Milestone Status	Responsibility
Plan annual City/County Conference.	In person conference set for Spring 2025.		Legislative/Public Affairs, COG
Collaborate with member agencies through City/County Manager Technical Advisory Committee (CCMTAC).	Ongoing bi-monthly meetings		
Notes			

Attachment: FY 24\_25 Budget Action Plan Quarter 1 Update (10734 : Fiscal Year 2024/2025 Budget Action

Yellow shading means the work is behind schedule  
Red text signifies urgent and significant challenges in completing the task

Division Strategy: Enhance SBCOG's and the region's ability to compete for grant funding				
Action Plan	Milestones	Milestone Status	Responsibility	
3C	Host Workshop.	Q3	COG	
	Communicate grant opportunities to member agencies. Expand the function of SBCOG with regard to grant and project development.	Establish a project development process and grant writing coordination through SBCOG on behalf of member agencies - Q3		
		Continue to provide updates to member agencies on new grant opportunities - Ongoing		Continuing to provide information to local jurisdictions. Notified of significant grant awards: Emergency Evacuation Network Resilience (Caltrans) CPRG through AQMD, Residential Decarb through LAC.
Notes				
Division Strategy: Assist local governments with environmental and efficiency initiatives				
Action Plan	Milestones	Milestone Status	Responsibility	
3D	Award contract for the replacement of the EV chargers in employee parking lot.	Q1	Delayed to Q2. Received quotes for replacement and an item seeking funding authority is scheduled for September Transit Committee.	
	Work with local agencies with Zero Emission Vehicle (ZEV) readiness plan and assist in identifying grant opportunities for charging infrastructure.	Ongoing	Developing EV charging projects in conjunction with private vendors for purposes of SB 1 TCEP, CPRG grant with AQMD, and support letters for various local projects.	
	Assist local agencies with reducing energy consumption and achieving savings through formation of the Inland Regional Energy Network (I-REN).	Ongoing	Progress report provided at September Board.	
Notes				
Initiative #4: Accelerate Delivery of Capital Projects				
Division Strategy: Support Delivery the West Valley Connector Phase I				
Action Plan	Milestones	Milestone Status	Responsibility	
4A	Complete Stage 1 (North Side of Holt Blvd)	Q2	Delayed to Q3. The latest construction schedule shows delays associated with SCE's underground project along Holt Blvd.	
	Notes			
Division Strategy: Produce Zero Emission Multiple Unit				
Action Plan	Milestones	Milestone Status	Responsibility	
4B	Complete ZEMU testing program	Q2	Delayed to Q3. PTC software update will be needed and additional testing will be required to validate PTC software updates.	
	Complete construction of hydrogen fuel station	Q4	Transit	
	Complete construction of maintenance facility retrofit	Q4		
Notes				
The ZEMU testing program is scheduled to be substantially complete in Q2. However, a software update is needed for the Positive Train Control (PTC) system, which pushes out FRA approval and the start of revenue service. Contract for a temporary fueler has been executed and the contract for permanent fueling equipment is under negotiations.				

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Division Strategy: Deliver the Tunnel to ONT Project			
Action Plan	Milestones	Milestone Status	Responsibility
4C	Environmental Document approval	Q2	Transit
	Award design-build contract	Q4	
	Notes		
Public circulation of the environmental document is scheduled for Q2.			
Division Strategy: Delivery of Capital Projects - Plans, Specifications and Estimate (PS&E); Engineering Reports Milestones:			
Action Plan	Milestones	Milestone Status	Responsibility
4D	I-10 Mount Vernon Avenue	PS&E approval - Q1	Project Delivery
	US-395 Widening Project - Phase 2	PS&E approval - Q4	
	Notes		
Division Strategy: Delivery of Capital Projects - Construction Milestones:			
Action Plan	Milestones	Milestone Status	Responsibility
4E	SR-210 Waterman Avenue	Start construction - Q1	Project Delivery
	I-215 University Parkway	Start construction - Q1	
	I-10 Mount Vernon Avenue	Start construction - Q2	
	I-215 Bi-County/Segment 5 Landscaping	Start construction - Q3	
	North First Avenue Bridge over BNSF	Complete for Beneficial Use - Q1	
	SR-210 Waterman Avenue	Complete for Beneficial Use - Q3	
	Metrolink ATP - Phase 2	Complete for Beneficial Use - Q3	
	I-10 Cedar Avenue	Complete for Beneficial Use - Q4	
	I-10 Eastbound Truck Climbing Lane	Complete for Beneficial Use - Q4	
	Notes		

Attachment: FY 24\_25 Budget Action Plan Quarter 1 Update (10734 : Fiscal Year 2024/2025 Budget Action

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Division Strategy: Delivery of Express Lanes Projects				
Action Plan	Milestones	Milestone Status	Responsibility	
4F	I-10 Corridor Freight and Express Lanes Project (Contract 2) Segment 2a	PS&E approval - Q2	Project Delivery	
	I-10 Corridor Freight and Express Lanes Project (Contract 2) Segment 2b	PS&E approval - Q4		
	I-15 Corridor Freight and Express Lanes Project (Contract 1)	Start construction- Q2		Delayed to Q3. Bids came in higher than anticipated; team is going to October CTC meeting to request additional funding.
	I-10 Corridor Freight and Express Lanes Project (Contract 1)	Complete for Beneficial Use - Q1	On schedule	Express Lanes
Notes				
Division Strategy: Support Delivery of Gold Line				
Action Plan	Milestones	Milestone Status	Responsibility	
4G	Present Funding Agreement and Operations and Maintenance Agreement to SBCTA Board	Q1	Delayed to Q2. LA Metro is in the process of preparing a draft of the funding and O&M agreement.	Transit
	Monitor SBCTA funding gap and LA Metro funding commitment to build to the County line.	Q3		Transit
Notes				
Initiative #5: Maximize Funding Opportunities and Cost-Effectiveness of Investments				
Division Strategy: Conduct regional forums to discuss issues of importance across our region				
Action Plan	Milestones	Milestone Status	Responsibility	
5A	Advocate for policies and funding formulas at the state and federal levels that are favorable for SBCTA to construct and deliver transportation projects.	Ongoing	Support - AB 2590 (Gomez-Reyes) - for a more efficient procurement process.	Legislative/Public Affairs
	Support for legislation regarding progressive design build delivery and oppose legislation that would adversely impact transportation funding. Build coalitions in support of state and federal transportation grant applications and budget items as well as additional transit operational funding. Maintain good working relationships and communication with state and federal officials.	Ongoing	Oppose - AB 2535 (Bonta) - would shift TCEP funds away from transportation projects. Support - HR 7650 (Carter/Oberholte) - prevents the loss of federal dollars for EPA non-attainment.	Legislative/Public Affairs
Notes				
Division Strategy: Operate and Maintain SB Express Lanes				
Action Plan	Milestones	Milestone Status	Responsibility	
5B	I-10 Corridor Freight and Express Lanes Project (Contract 1) Operations and Maintenance.	Ongoing starting Q1	On schedule	Express Lanes
	Notes			

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<b>Initiative #6: Awareness of SBCTA Programs, Services, and Transit Options</b>				
Division Strategy: Build awareness of SBCTA programs and services				
	Action Plan	Milestones	Milestone Status	Responsibility
6A	Highlight Measure I's contributions to the region's transportation system. Annual state of transportation event; monthly blog series "Measure I (Impact)".	Ongoing	State of Transportation planned (B2B) for October 16, 2024. Updates to Measure I landing page in process.	Legislative/Public Affairs, Fund Administration
	Market SBCTA identity, promote awareness of programs and services. Employee spotlight blog series.	Ongoing	Continued use of on-call for support and marketing of SBCTA projects, programs and events with traditional and social media platforms.	Legislative/Public Affairs
Notes				
Division Strategy: Leverage and grow public outreach and communication services				
	Action Plan	Milestones	Milestone Status	Responsibility
6B	Continue to enhance traditional and social media presence by providing project updates, alerts, and information.	Ongoing	Continue to support Project Delivery and Transit departments with public outreach services.	Legislative/Public Affairs
	Utilize On-Call Public Outreach Contracts, On-Call Graphic Design Services Contracts, Marketing & Branding Services Contract to utilize new tools and capitalize on communication opportunities throughout the region.	Ongoing	Continued use of on-call for support and marketing of express lanes, promoting the arrival of ZEMU, Arrow service, and SBCTA accomplishments with "SBCTA Today".	Legislative/Public Affairs, Transit
	Utilize On-Call Graphic Design Services Contracts & Marketing and Branding Services Contract to support each department in their efforts to communicate internally and externally.	Ongoing	Continue to provide services for the Annual Budget book, 10-Year Delivery Plan, COG communicator.	Legislative/Public Affairs, Fund Administration
Notes				
Division Strategy: Highlight transit options in San Bernardino County				
	Action Plan	Milestones	Milestone Status	Responsibility
6C	In partnership with transit operators, highlight transit connectivity options in the region. Provide legislative information and updates, advocate at the state and federal levels for transit maintenance and operations funding.	Ongoing	Continued coordination with the Transit Department.	Legislative/Public Affairs, Transit
Notes				
Division Strategy: SB Express Lanes Customer Support				
	Action Plan	Milestones	Milestone Status	Responsibility
6D	Manage SB Express Lanes Walk-In Center.	Ongoing	Ongoing	Express Lanes
	Manage SB Express Lanes Website.	Ongoing	Ongoing	Express Lanes
Notes				

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Initiative #7: Long Range Strategic Planning				
Division Strategy: Analyze long range transportation strategy in a financially constrained framework				
Action Plan	Milestones	Milestone Status	Responsibility	
7A	Prepare a Long Range Multimodal Transportation Plan (LRMTP).	Draft LRMTP - Q3	Consultant drafted modal sections of LRMTMP for review. Scenarios run for land use, transit, pricing, and work-at-home strategies. Primary public outreach in September.	
		Final LRMTP - Q4		Planning, Transit, Fund Administration
	Prepare for the 2028 Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).	Work with SCAG to establish project schedule - Q3		Planning, Fund Administration
		Begin setting up San Bernardino County Growth Projection Model - Q4		
Notes				
Division Strategy: Conduct strategic planning of Measure I projects and update policies to be consistent with practice				
Action Plan	Milestones	Milestone Status	Responsibility	
7B	Maintain Measure I Strategic Plan Parts 1 and 2.	Ongoing	No updates this quarter.	
	Notes			
Division Strategy: Provide current, quality planning data				
Action Plan	Milestones	Milestone Status	Responsibility	
7C	Support other departments with data analysis and mapping/Geographic Information System (GIS).	Ongoing	Mapping provided for LRMTMP, ROW, etc.	
	Update SBTAM "Plus" modeling system.	Model Validation Report - Q1	SBTAM project completed. Executed vendor subscriptions and made training videos available.	
		Vehicle Miles Traveled/Land Use Model and Scenario Samples - Q2		
		Final Documentation & Presentation - Q4		
Incrementally implement an SBCTA agency-wide data and analytics dashboard.	Ongoing		Planning	
Notes				
Division Strategy: Conduct subarea and modal studies				
Action Plan	Milestones	Milestone Status	Responsibility	
7D	State Route 247/62 Emergency Bypass Lane Study.	Phase 1 report - Q4	Held kick-off meeting in Q1 and assembled multi-agency stakeholder group.	
	Notes			

Attachment: FY 24\_25 Budget Action Plan Quarter 1 Update (10734 : Fiscal Year 2024/2025 Budget Action

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**Initiative #8: Environmental Stewardship, Sustainability, and Grant Applications**

Division Strategy: Monitor and Provide Input to State, Federal, and Regional Plans and Guidelines

Action Plan	Milestones	Milestone Status	Responsibility
Provide technical comments on draft reports, plans, and guidelines from Caltrans, CTC, OPR, CARB, CalSTA, and other state agencies.	Ongoing	Provided comments on SB 1 grant guidelines for Cycle 4 TCEP and SCCP.	Planning, COG
8A Prepare Grant Applications for state (e.g. SB 1, Active Transportation, etc.), federal (e.g. RAISE, INFRA/Mega, etc.) and other funding.	Senate Bill 1 (SB1) Grant(s) Submitted - Q2	Worked with jurisdictions to prepare specific projects for TCEP funding. Worked with Caltrans on potential partnership for SCCP grant for ONT Connector.	Planning, Fund Administration
	Other state and federal grants - Ongoing	Planning and Fund Administration worked together on STBG, CMAQ, and CRP funding applications submitted to SCAG late in FY 23/24.	
Notes			

Division Strategy: Assist jurisdictions, developers, and other stakeholders with area-wide sustainability studies

Action Plan	Milestones	Milestone Status	Responsibility
Begin development of Vehicle Miles Traveled (VMT) mitigation bank and/or approaches to mitigation under SB 743.	Establishment of the Program Structure - Q2	REAP funding received, and consultant selected for VMT mitigation bank development.	Planning
	Start VMT App Development - Q3		
8B Countywide Evacuation Route Study and Modeling for member jurisdictions.	Initiate project - Q1	Consultant selected and project initiated.	
	Begin Modeling Work - Q3		
Assist local agencies with housing initiatives under Regional Early Action Plan (REAP) 2.0.	Begin Project - Q1	REAP funding received and project initiated.	
Notes			

Division Strategy: Prepare effective active transportation plans

Action Plan	Milestones	Milestone Status	Responsibility
Implement Safe Routes to School Program (with SBCSS and the County DPH).	Complete Programs - Q4		Planning
8C Manage Transit Development Act (TDA) Article 3 bike/ped project invoicing.	Ongoing	Projects monitored and status reports prepared.	
Notes			

Division Strategy: Implement components of ATP Metrolink Station Accessibility Grant

Action Plan	Milestones	Milestone Status	Responsibility
8D Implementation of Phase 2 of the Bicycle and Pedestrian improvements around the Metrolink Stations on the San Bernardino and Riverside Lines.	Construction Completion for Beneficial Use - Q3	Construction underway.	Planning, Project Delivery
Notes			

Attachment: FY 24\_25 Budget Action Plan Quarter 1 Update (10734 : Fiscal Year 2024/2025 Budget Action

Division Strategy: Develop and administer programs to improve the efficient use of our existing freeway network				
Action Plan	Milestones	Milestone Status	Responsibility	
8E	Manage the Southern California 511 (SoCal 511) program with other County Commissions.	Ongoing	Continuing coordination with LA, Orange, and Riverside Counties.	Air Quality/Mobility
	Administer Freeway Service Patrol (FSP) and call box system to improve traffic safety, reduce congestion and traffic delays.	Ongoing. Present annual report on programs to Board - Q4	Monitoring and coordination of program continues. Initiated a review of forecast funding and identified options for cost savings.	
Notes				
Division Strategy: Support access to jobs, healthcare, and education while reducing roadway congestion.				
Action Plan	Milestones	Milestone Status	Responsibility	
8F	Administer multi-modal programs to reduce congestion and improve quality of life including coordination with transit providers and Consolidated Transportation Service Agencies (CTSA) serving San Bernardino County.	Work with the transit providers and CTSA's, to identify key activities for inclusion in the SBCTA LRMTTP based on the approved Public Transit-Human Services Transportation Coordination Plan – Q3	Development of multimodal LRMTTP strategic initiatives continues. Held outreach meetings with individual jurisdictions to discuss interest in next round of Express Bus/BRT investment.	Planning
	Notes			
Initiative #9 Meet Equity Goals of SBCTA/SBCOG				
Division Strategy: Ensure Equity goals met for internal structure and policies.				
Action Plan	Milestones	Milestone Status	Responsibility	
9A	Establish equity goals and policies for ensuring structural equity within the business processes and procedures within SBCTA/SBCOG.	Project outreach in Q1 and Q2	Consultant activities underway.	COG
	Notes			
Division Strategy: Ensure Equity goals met for projects and programs implemented in collaboration with SBCOG/SBCTA member agencies.				
Action Plan	Milestones	Milestone Status	Responsibility	
9B	Small Business Training Program	Study to be presented - Q1	Small business study presented to GPC in Q1.	COG
	Notes			

Yellow shading means the work is behind schedule  
Red text signifies urgent and significant challenges in completing the task

## *Minute Action*

AGENDA ITEM: 5

***Date:*** *September 11, 2024*

***Subject:***

Fiscal Year 2024/2025 Budget Amendments

***Recommendation:***

That the General Policy Committee recommend the Board, acting as the San Bernardino County Transportation Authority and the San Bernardino Council of Governments:

A. Approve the creation of the new fund, Fund 2801 – State One-time Awards to account for one-time state funding, to include the award for Priority Legislative Budget Projects Assembly Bill 179 for Task No. 0941.

B. Approve amendments to the Fiscal Year 2024/2025 Budget for Task No. 0941 – Mountain/Desert Planning and Project Development to decrease fund (Fund 6010) by \$500,000 and to increase the State One-time Award fund (Fund 2801) by \$750,000.

C. Approve an amendment to the Fiscal Year 2024/2025 Budget for Task No. 0155 - Fringe to decrease the Indirect Cost Allocation Fund (Fund 7110) by \$2,521,000.

D. Approve an amendment to the Fiscal Year 2024/2025 Budget for Task No. 0860 - Arterial Projects to add Local Bridge Seismic Retrofit Account-Proposition 1B (Fund 2622) of \$266,463.

E. Approve an amendment to the Fiscal Year 2024/2025 Budget for Task No. 0805 – Building Operations to increase the Indirect Cost Fund (Fund 7001) by \$331,663.

F. Approve an amendment to the Fiscal Year 2024/2025 Budget for Task No. 0511 – Council of Governments to decrease the State of California Department of Parks and Recreation (Fund 2666) by \$230,000.

G. Approve an amendment to the Fiscal Year 2024/2025 Budget for Task No. 0750 - Express Lane Operations to increase the Interstate 10 Express Lanes Contract 1 (Fund 7550) by \$1,000,000 from the Measure I Backstop.

***Background:***

The Finance Department is responsible for the preparation and administration of the San Bernardino County Transportation Authority (SBCTA) Budget. Subsequent to adoption of the budget, adjustments are requested by departments and approved by the SBCTA Board of Directors (Board) or by the authority granted to the Executive Director, or his designee, under Policy No. 20000, Financial Policies.

In order to identify any major budgetary changes during the fiscal year, the Finance Department compares actual expenditures and revenues to the budget. All other departments are responsible for identifying other budget adjustments necessary as a result of: 1) programmatic adjustments required to maintain compliance with applicable federal and state law and internal policies such as Measure I Policies; 2) additional funds made available from allocations or grants; 3) unforeseen costs; or 4) other unexpected changes.

At the end of Fiscal Year 2023/2024, SBCTA was notified by the Southern California Association of Governments (SCAG) to stop work on the Regional Early Action Planning 2.0

*Entity: San Bernardino Council of Governments, San Bernardino County Transportation Authority*

program due to possible budget cuts at the State level. Due to successful legislative advocacy work from the region, the cuts to the program resulted in a minimal reduction from the adopted State budget, and SCAG verified that full awards have been restored; thus, no budget amendment is required at this time.

Staff is requesting approval of the following budget increases necessary to carry out the administrative and programmatic functions of the agency:

**Recommendation A:**

On September 8, 2022, the Governor Gavin Newsom signed Assembly Bill (AB) 179, which amended the Budget Act of 2022 to reflect changes necessary to implement the budget agreement for the State. AB 179 also appropriated funding for Priority Legislative Budget Projects (PLBP), otherwise known as State earmarks. The PLBP program includes earmarks for a variety of projects, including transportation-related projects. In April 2022, SBCTA submitted a request for an earmark in the amount of \$1,000,000 to conduct the State Route (SR) 247/62 Emergency Bypass Study. On December 12, 2022, SBCTA was notified that the request was approved and included in AB 179. The California Department of Transportation is the authorizing agency for the proper distribution of the funding provided by this legislation. The acquisition of these earmarks requires the establishment of a new fund. The request is to establish a fund to account for various one-time funding from the State and avoid creation of multiple funds for one-time use.

**Recommendation B:**

On May 1, 2024, the Board approved the award of Contract No. 24-1003069 to WSP USA, Inc. for the SR 247/62 Emergency Bypass Study. This study aims to develop a bypass strategy for closures on Interstate 15/Cajon Pass and identify potential geometric and operational improvements on SR 247 and SR 62. The contract is for an amount not-to-exceed \$762,899, funded by State earmark funds from the PLBP program, with a term ending on June 30, 2026. Through discussions with WSP USA, Inc., it was confirmed that a significant portion of the work would be completed in Fiscal Year 2024/2025. Prior to the creation of the new fund, \$500,000 was budgeted for this project under Fund 6010. As a result, an adjustment is being made to move all funds allocated for this project in Fund 6010 while also increasing the Fiscal Year budget for this project in the new fund (Fund 2801) – State One-time Awards established in recommendation A by \$250,000.

**Recommendations C:**

In April 2024, SBCTA paid the Unfunded Actuarial Accrued Liability (UAAL) to the San Bernardino County Employee's Retirement Association. The UAAL represents the shortfall between the Actuarial Accrued Liability and the Valuation Value of Assets, with the amount spread over 20 years to smooth out the impact. This total UAAL encompasses actuarial losses and gains from the past 20 years, changes in assumptions, methodology updates, and the implementation of the Alameda Decision. There was a delay in determining the effect on the employer's share of the Fiscal Year 2024/2025 contribution rate. As a result, an adjustment is being made to lower the budget by \$2,521,000 in the Indirect Cost Allocation Fund (Fund 7110), reflecting a decrease in the employer contribution rate for Fiscal Year 2024/2025. Specifically, the Tier 1 rate decreased from 34.98% to 13.79%, and the Tier 2 rate dropped from 29.80% to 8.61%, resulting in an overall reduction of 21.19% for both tiers.

**Recommendation D:**

Project Delivery Department staff is requesting approval of a budget addition of \$266,463 in the Local Bridge Seismic Retrofit – Proposition 1B Fund (Fund 2622) to accommodate expenditures for the Mount Vernon Viaduct Project.

**Recommendation E:**

Management Services Department staff is requesting approval of an additional \$331,663 in the Indirect Cost Fund (Fund 7001) for Building Operations (Task 0805). This request is to cover unanticipated increases in the cost of facility operations, maintenance, supply services, and utilities as well as the cost-sharing arrangement between SBCTA and the City of San Bernardino for the unanticipated vacant Local Agency Formation Commission unit. Funding for this request will come from the General Purpose Reserve of \$500,000 approved in the Fiscal Year 2024/2025 budget.

**Recommendation F:**

On January 3, 2024, the Board approved Revenue Agreement No. 23-1002837 with the State of California Department of Parks and Recreation and Agreement No. 23-1002836 with the Inland Empire Community Foundation and Lifting Our Stories contingent upon receipt of a certificate of insurance that meets all contract insurance requirements. The required insurance, as specified in Article 22 of Agreement No. 23-1002836 and agreed upon by all parties, was initially due 10 days after the request was made on February 12, with a due date of February 22. Two time extensions were granted, extending the deadline to March 19, as requested by the vendor. Due to the State deadline of March 22, for executing the contract and the absence of the required insurance to meet the contract terms, no additional extensions could be granted. As a result, an adjustment is necessary to decrease the budget in the State of California Department of Parks and Recreation (Fund 2666) by \$230,000.

**Recommendation G:**

In September 2023, the Board approved a budget increase of \$5,104,000 in Fiscal Year 2023/2024 to provide cash flow for operations and maintenance expenses incurred on the Interstate 10 (I-10) Express Lanes Contract 1 Project before the revenue commencement date. The revenue commencement has been delayed to August 2024 due to changes in the delivery timeline. To meet the initial reserve requirement for operations and maintenance, an additional \$1,000,000 is needed, which will come from the Measure I Backstop. Under the Transportation Infrastructure Finance and Innovation Act (TIFIA) loan Agreement No. 21-1002566 with the United States Department of Transportation (US DOT), the I-10 Express Lanes can borrow from Measure I programs. Specifically, the Measure I Freeway fund (Fund 4110) will lend to the I-10 Express Lanes Contract 1 fund (Fund 7550). This arrangement will ensure cash flow for early stage operational and maintenance expenses. Toll revenues generated will be managed according to the financial covenants of the TIFIA loan agreement, including the replenishment of Measure I Programs utilized for the Measure I Backstop.

***Financial Impact:***

A budget amendment is required as described in Recommendations B-G and described in the background section of this item.

***Reviewed By:***

This item is not scheduled for review by any other policy committee or technical advisory committee.

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September 11, 2024  
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***Responsible Staff:***

Lisa Lazzar, Chief of Fiscal Resources

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Approved  
General Policy Committee  
Date: September 11, 2024

Witnessed By:

San Bernardino Council of Governments  
San Bernardino County Transportation Authority

## *Minute Action*

AGENDA ITEM: 6

***Date:*** *September 11, 2024*

***Subject:***

San Bernardino Region Public Procurement Memorandum

***Recommendation:***

That the General Policy Committee recommend the Board, acting as the San Bernardino County Transportation Authority:

- A. Receive the San Bernardino Region Public Procurement Memorandum.
- B. Direct staff to use the San Bernardino Region Public Procurement Memorandum as a reference for identifying work plan options.

***Background:***

In 2021, San Bernardino Council of Governments (SBCOG) adopted Resolution No. 21-037 that provides staff with direction to examine practices, create tools, and provide a regional forum for efforts that work toward promoting a fair and just region, eliminates barriers and reduces opportunities for residents, and meaningfully advancing justice, equity, diversity, and inclusion. Based on this, in 2021 the Equity Ad Hoc Committee provided staff direction to review procurement policies across the region to identify opportunities for local agencies and SBCOG to help small businesses gain and complete government contracts successfully. The San Bernardino Region Public Procurement Memorandum was completed in December 2023.

Since 2022, staff had been working to complete a procurement study that provides insight into local agency practices, policies, and procedures with the goal of identifying opportunities that can be implemented to benefit small businesses.

Amplify Communities (National Core) and SBCOG conducted a series of focus groups in the summer of 2022 with community-based organizations, government agencies, and other stakeholders. These focus groups elevated areas of concern and opportunities to advance equity. National Core took this information and completed a study through research that focused on the following priorities:

- Advance SBCOG’s commitment to study, track, and improve equity outcomes for communities across the county.
- Understand the public agency procurement/contracting environment.
- Identify small business providers, partners, model programs, and best practices.

In order to understand the procurement landscape across the region, a multi-pronged approach was developed:

1. Online research provided preliminary information about the municipalities’ procurement policies and practices.
2. Focus Group Discussions which included small business providers and lenders, business councils, chambers of commerce, and City/County Managers’ Technical Advisory Committee (CCMTAC).
3. Targeted Interviews.

*Entity: San Bernardino Council of Governments*



## General Policy Committee Agenda Item

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From this research and interview process, barriers to public contracts were identified as:

1. The public procurement process is difficult to navigate.
2. The public procurement process is relationship driven with little opportunity to establish and foster relationships with contracting agencies.
3. Specialized training and support are needed to access, secure, and retain public procurement contracts.
4. Access to capital and payment delays are hurdles for small businesses, even after winning contracts.
5. Designing and executing more equitable public procurement methods that benefit small businesses will require resources and collaboration.

From this research and interview process, regional strengths were also identified to build off of to enhance the public procurement process:

1. There is interest in supporting a localized public procurement process.
2. Strengthening relationships is crucial to enhancing the public procurement process across the region.
3. Local and National organizations are implementing programs within the region of San Bernardino that can be leveraged.
4. Informal bids as an initial step to boost public procurement opportunities for small businesses.

Following an extensive analysis of this information and through discussions with the CCMTAC, the following recommendations were developed:

- Develop a centralized system to streamline and standardize access to public procurement opportunities within the region.
- Establish a small business preference policy.
- Create a regionally recognized small business certification that individual jurisdictions may opt into.
- Collaborate on vendor and procurement fairs where municipalities, chambers of commerce, business councils, and small business providers can meet with businesses to share information on public procurement opportunities.

***Financial Impact:***

This item has no financial impact on the adopted Budget for Fiscal Year 2024/2025.

***Reviewed By:***

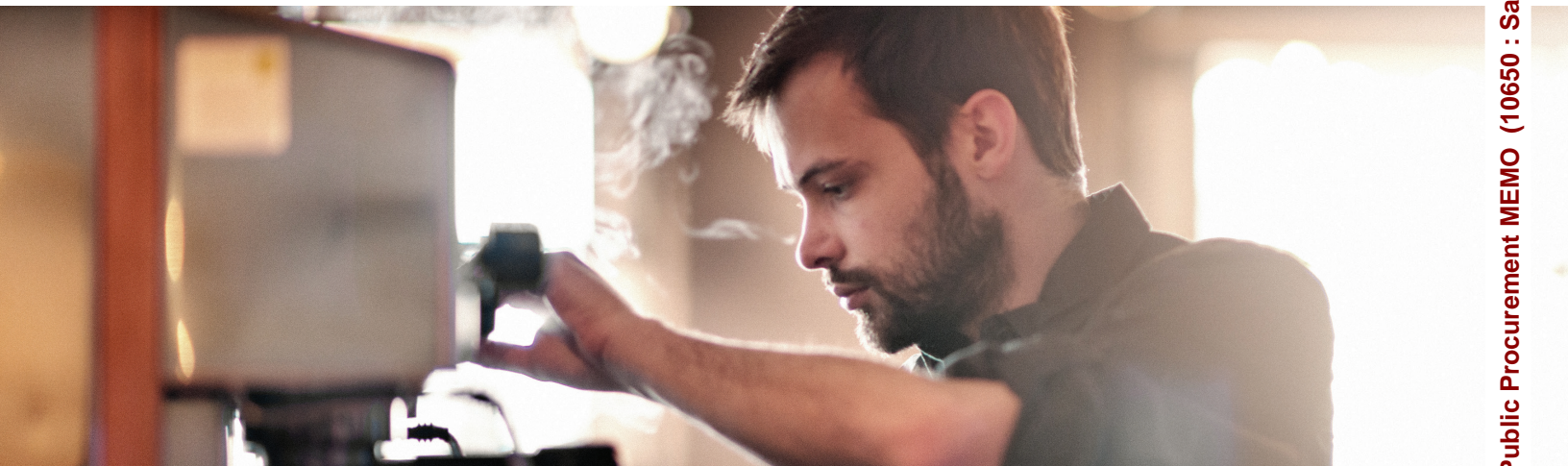
This item is scheduled for review by the City/County Managers' Technical Advisory Committee on October 3, 2024. This item is not scheduled for any other policy committee or technical advisory committee review.

***Responsible Staff:***

Monique Reza-Arellano, Chief of COG and Equity Programs

Approved  
General Policy Committee  
Date: September 11, 2024

Witnessed By:

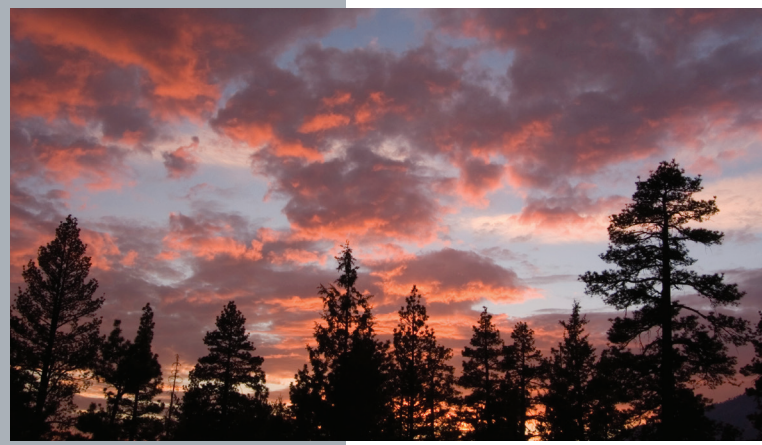


# San Bernardino Region Public Procurement Memorandum

December 2023

Prepared for San Bernardino  
Council of Governments by





### EXECUTIVE SUMMARY

Public procurement is how public sector agencies and private sector organizations contract to deliver a particular service. Public sector agencies are largely funded by taxpayer dollars and are therefore accountable to the public. Improving public procurement systems can assist government agencies in obtaining competitive pricing for their limited funds, expand the playing field to emerging businesses, and create equity in advancing local investment.

In San Bernardino County, procedural constraints hinder small businesses' access to procurement opportunities. Constraints in the region include:

- The public procurement process is complex and difficult to navigate.
- Notification of current solicitation opportunities is primarily relationship-driven.
- Specialized training and support are needed by small businesses to access and secure public contracts.
- Access to capital and payment delays are hurdles for small businesses, even after winning contracts.

While the constraints discussed above negatively affect the success of small businesses wishing to participate in the public procurement process, there is ample opportunity for improving this economic ecosystem. There are strong networks of partners within San Bernardino County that are helping small businesses grow and succeed. These networks are assets that can be strengthened and scaled to immediately improve the outcomes for

small businesses in the realm of public procurement in its current landscape. However, reaching larger procurement equity goals will require additional research into each jurisdiction, and resources to fully understand the equity needs of the region. These suggestions and others extracted directly from case studies are discussed in more detail in this report.

Simultaneously, there are regional assets that can be leveraged to strengthen public procurement opportunities for local small businesses.

- There is interest from local partners in supporting a localized public procurement process.
- Local and national organizations are implementing programs in the county of San Bernardino that can be leveraged.
- Informal bids are an accessible entryway for boosting public procurement participation amongst small and local businesses.

This report identifies case studies of public sector agencies that have implemented improved public procurement processes to understand streamlining measures that can be considered for the County of San Bernardino. Some effective programs include creating a centralized online hub where small businesses can view and apply for procurement opportunities. Municipalities have also established a local, small business preference policy, deployed outreach strategies to target small businesses and connect them to resources, and simplified the language and process for public procurement.





## BACKGROUND

In May of 2021, the San Bernardino Council of Governments (SBCOG, hereinafter referred to as the Agency) adopted a Joint Policy on Regional Equity, demonstrating the agencies’ commitment to equitable programs and practices to meaningfully advance justice, equity, diversity, and inclusion in San Bernardino County (hereinafter referred to as the County). To inform the ongoing work of the Agency to study, track, and improve equity outcomes for communities across the County, Amplify Communities and SBCOG conducted a series of focus group meetings in the summer of 2022 with community-based organizations, government agencies, and other stakeholders interested in promoting favorable health, equity, and environmental justice outcomes in communities across the County. Focus group participants elevated areas of concern and opportunities to advance equity and environmental justice.

This report emerged from the feedback provided by these focus groups and is centered on understanding opportunities to advance equity and local wealth-building through public procurement in the County. This research focuses on the following priorities:

1. Advance SBCOG’s commitment to study, track, and improve equity outcomes for communities across the County (Joint Policy on Equity, 2021).
2. Understand the public agency procurement/contracting environment in the County of San Bernardino, including the barriers to entry and available resources to increase access for small and local businesses.
3. Identify small business providers, partners, model programs, and best practices to inform a small and local business program for the County of San Bernardino.

## WHAT IS PUBLIC PROCUREMENT?

### Overview of Public Procurement (Laws and Regulations)

Public procurement is the process of purchasing goods or hiring services using public funds, and it is a highly complex and regulated process in California. Public procurement in California is governed by the California Public Contract Code (PCC) and the California Code of Regulations (CCR), with the ultimate regulatory mission of ensuring fair and open competition, transparency, and integrity in public contracting. Generally, the state requires competitive bidding, advertisement and notice, standardized bid evaluation, and contract award and protest. While the state mandates that public procurement must involve competitive bidding processes, there are variations in the implementation of the code based on several factors. These include:

1. **Type of service or goods being procured.** Public procurement spending typically falls into one of four categories: public works/capital improvement projects, professional services, general services, and purchase of supplies and equipment. Different services carry distinct budgets, which may trigger competitive bidding requirements. For example, the state explicitly establishes regulations for public works projects (e.g., projects with a total estimated cost of \$5,000), while other categories are less defined. Notably, public works contracts in California are also subject to prevailing wage requirements. Table 1 below demonstrates a few public procurement contract types.

Table 1 - Sample of Public Procurement Contracts

Types of Contracts	Description/Examples
Purchases of Supplies and Equipment	Purchase of goods or commodities such as medical supplies; tools; fire and law enforcement equipment; automobiles; food safety supplies; food; office supplies; furniture; and computer equipment
Public Works/Capital Improvements	(a) A project for the creation, improvement, painting, or repairing of public buildings and works. (b) Work in or about streams, bays, waterfronts, embankments, or other work for protection against overflow. (c) Street or sewer work except maintenance or repair. (d) Furnishing supplies or materials for any such project, including maintenance or repair of streets or sewers.
Professional Services	Hiring of private consulting firms specializing in private architecture, engineering, land surveying, and construction project management
General Services	Hiring for building maintenance, custodial, landscape, and other general services

**2. Type of entity.** California procurement regulations set different requirements for state agencies, cities, counties, and school and community college districts. For public works projects, state agencies, cities, and counties are subject to competitive bidding for costs over \$5,000, while school and community college districts are subject to competitive bidding for costs totaling \$15,000 or more.

**3. Jurisdiction incorporation.** Charter and General Law cities differ in their procurement processes in that charter cities have more flexibility in structuring their procurement processes. Charter cities have more autonomy and local control to govern themselves, including how they regulate procurement. General Law cities derive their statutory framework from the state's general laws and must follow state regulations with little flexibility or opportunity for customization. The breakdown of SBCOG member jurisdictions by incorporation type is listed below in Table 2.

**4. Size of the project.** A project's size (estimated budget) will determine whether competitive bidding is required. The dollar amounts that trigger competitive bidding depend on which spending category it falls within. The state does not regulate thresholds for non-public works projects. Local jurisdictions determine this.

**5. Project funding source(s).** If external agencies provide funding to public projects, there may be specific public procurement requirements associated with the project.

**6. Local Preferences.** Jurisdictions may establish goals or preferences for awarding contracts to small businesses, micro-businesses, women-owned, veteran-owned, and disadvantaged small businesses through preferences for enterprises that have undergone a certification process for their respective business type. To utilize any distinctions, firms must certify with each jurisdiction individually.



**7. Type of Procurement Method.** There is a myriad of procurement types that fall within the competitive bidding process. Jurisdictions may utilize all or some of these different procurement methods, typically depending on the type of service/good and the project size.

These factors all contribute to varied public procurement processes across jurisdictions.

The State of California requires municipalities to establish their own procurement procedures in accordance with applicable state regulations within its Municipal Code. Local ordinances governing purchasing for SBCOG member jurisdictions [can be found here](#).

**Table 2 - Cities by Jurisdiction Type in San Bernardino County**

Charter Cities	General Law Cities
County of San Bernardino	Apple Valley
Adelanto	Barstow
Big Bear Lake	Chino
Loma Linda	Chino Hills
Needles	Colton
San Bernardino	Fontana
Victorville	Grand Terrace
	Hesperia
	Highland
	Montclair
	Ontario
	Rancho Cucamonga
	Redlands
	Rialto
	Twentynine Palms
	Upland
	Yucaipa
	Yucca Valley

**Table 3 - Procurement Method Types**

Procurement Method	Description
Competitive Bidding	A formal process to identify and request products and/or services applicants need so potential service providers can review those requests and submit bids for them.
Request for Proposal (RFP)	This requires public agencies to define the services they need and publish a document with specific information relating to the project. The RFP will define the terms, conditions, and specifications of goods or services required by the public agency. An RFP is primarily intended for large, complex projects where cost and performance are equally important.
Request for Qualifications (RFQ)	A request to seek a written presentation of the professional qualifications and experience of a proposed consultant/contractor.
Request for Information (RFI)	A request for written information about the capabilities of various suppliers.
Request for Bid	A solicitation in which the terms, conditions, and specifications are described, and responses are not subject to negotiation.
Request for Quote	A request for a statement of price, terms of sale, and description of goods or services offered by a vendor to a prospective purchaser. The purchaser uses this to evaluate and compare quotes and competing resources.
Informal Bidding	An informal process for projects totaling under a dollar amount set by the jurisdiction. The request for bid is solicited from a minimum of three vendors on an established list of bidders for that service/good maintained by the jurisdiction.



### PUBLIC PROCUREMENT AS LEVERAGE FOR ECONOMIC DEVELOPMENT AND EQUITY

Procurement is a powerful tool to advance local and equitable development. Typically, one-third to one-half of a city’s budget goes toward purchasing from the private sector. Government leaders can leverage this spending to meet economic and social goals. Sixty (60) percent of job growth traditionally comes from small businesses; therefore, cities can leverage their estimated \$1.6 trillion annual spending to support small and locally owned businesses. When governments spend public dollars on locally owned businesses, those businesses rely on local supply chains, creating an “economic multiplier” effect. Utilizing local vendors can also augment local tax revenue in addition to strengthening local supply chains and creating local job growth.

Procurement can be a powerful mechanism for advancing other municipal goals as well. Small business contractors often are more diverse than the

general pool of contractors. By working with small businesses, municipalities can elevate marginalized groups and level out the contractual playing field. Public agencies can also advance diversity in public procurement by outlining the agency’s equity and diversity goals in its call for services. This may include targeting an economic development group to apply, including minority-, woman-, and veteran-owned businesses.

The costs and complexity inherent in today’s public procurement system were intended to minimize risks to public agencies when working with vendors and to ensure that cities remain accountable to taxpayers. However, small businesses are negatively impacted by the hurdles of a complex procurement system. Rethinking procurement systems can benefit small businesses and strengthen local economies and communities.

### UNDERSTANDING PUBLIC PROCUREMENT IN THE COUNTY OF SAN BERNARDINO

#### Landscape Analysis Process

Amplify Communities reviewed SBCOG member jurisdictions’ websites to gather preliminary information about the municipalities’ procurement policies and practices, including vendor registration requirements, frequency of bid opportunities, resources, contact information, and, importantly, threshold amounts that each jurisdiction uses for distinguishing informal and formal bidding.

To augment online findings, a survey was developed for jurisdictions to complete and provide gap in information and details that were unavailable online. To increase participation in the survey, SBCOG facilitated communication with member jurisdictions, specifically asking procurement and purchasing teams to complete the questionnaire. Seven cities responded to the survey, including the Cities of Needles, Chino Hills, Colton, Highland, Barstow, Grand Terrace, and the town of Yucca Valley. The preliminary research results from the member surveys [can be found here](#).

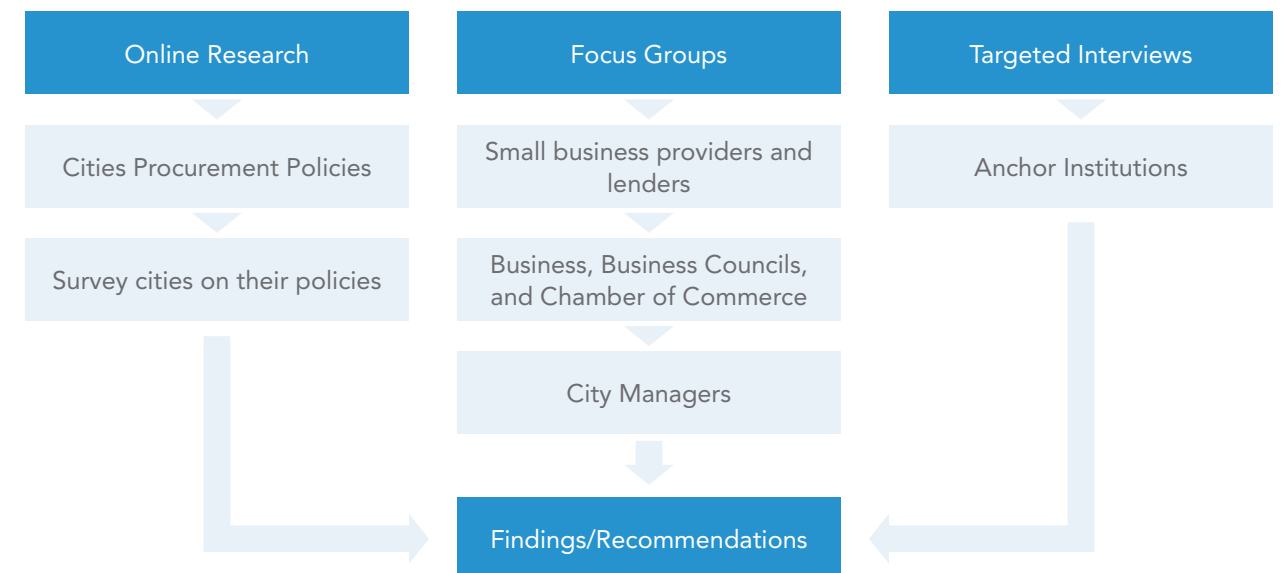
After exploring jurisdictional procurement regulations, Amplify Communities solicited input from small businesses and organizations that provide technical assistance in obtaining public procurement contracts. Additionally, focus groups and targeted interviews were held with anchor institutions such as schools, Native American tribes, and other public agencies to better understand small businesses’ needs and determine opportunities that can be leveraged.

#### Focus Group Methodology

Focus groups were conducted in person and via Zoom with three key stakeholder groups: small business service providers and lenders, local chambers of commerce through the Inland Empire Chamber Alliance<sup>1</sup>, and member jurisdiction city managers. Input gathered from participants was then examined using a strengths, weaknesses, opportunities, and threats (SWOT) analysis approach. This input was central in understanding the current public procurement landscape and in developing a set of recommendations. A detailed list of focus group participants can be found in Appendix A.

#### Targeted Interviews

A series of targeted interviews with anchor institutions were also held to gain insight into procurement programs being considered or implemented locally. Three entities were interviewed to understand public procurement processes implemented or being considered in the region. While they have different procurement regulations from the state, the interviews provided insight and inspiration for managing a procurement program that can elevate small businesses within a specified geographical area. Altogether, the online research, city surveys, focus groups, and interviews enumerated above informed the following findings, which include both barriers and strengths.



<sup>1</sup> The [Inland Empire Chamber Alliance](#) serves as a forum for member organizations to learn about legislations being considered in the CA Legislature and the US Congress or regulations being proposed by State and Federal Agencies and advocate with a unified voice. Membership is open to Chamber of Commerce or business councils associated with a city or a region.

## BARRIERS TO PUBLIC PROCUREMENT CONTRACTS

### 1. The public procurement process is difficult to navigate.

Each city and town has different procurement regulations and requirements posted online on their websites. Amongst the 24 cities and towns that are SBCOG members, many bidding platforms are used with varying registration requirements; many cities do not have a main point of contact for procurement/purchasing, and few explicitly state the threshold amount for informal/formal bids. Websites contained minimal information on whom to contact for procurement questions.

Additional outreach to local jurisdictions would provide further insight into local procurement processes. However, it is evident that the existing process for obtaining information on public procurement opportunities needs to be more cohesive and presents a significant barrier for small businesses. Small business service providers share this sentiment, often the liaison between cities and small businesses trying to identify client procurement opportunities.

### 2. The public procurement notification process is currently relationship driven.

Public procurement opportunities are currently noticed through professional relationships and networks. Because many small businesses remain outside of such professional networks, they seldom receive solicitation announcements. Even when small businesses receive procurement opportunity notifications, they have a limited understanding of the application requirements. Small businesses might also feel uninvited from the process and discouraged from pursuing public bids.

### 3. Specialized training and support are needed to access, secure, and retain public procurement contracts.

Small businesses see public procurement as a path to financial and business growth but lack the capacity to navigate cities' varied procurement processes successfully. Small businesses feel intimidated by the public procurement process and are often lost when they attempt to participate. They need dedicated staff or outside assistance to register with cities as vendors, complete and submit bids, and negotiate contracts. If awarded, additional assistance and resources are needed to complete the scope. Even cities have a difficult time with county-related contracts, often hiring outside consultants to assist in managing them.

### 4. Access to capital and payment delays are hurdles for small businesses, even after winning contracts.

Larger businesses are more competitive when submitting bids because they can offer lower pricing to secure a contract. The playing field is not leveled between small and larger businesses because the latter can take a loss to ensure access to future public contracts. When small businesses do secure public contracts, there is often a lack of access to capital to complete the work within the project scope successfully. Public contracts often face long payment schedules, and small businesses typically do not have the resources to comfortably wait extended periods for payment for services rendered.

### 5. Designing and executing more equitable public procurement methods that benefit small businesses will require resources and collaboration.

Designing and implementing changes to public procurement procedures will require dedicated staff time and funding. Like small businesses, member jurisdictions have limited staff and capacity that would hinder their ability to handle 'smaller' contracts. Cities typically handle an average of 600 contracts per year and prefer multiyear agreements to limit cost increases. In some cases, bids from the State and utility companies provide extra points when large companies partner with small businesses, but once awarded, nothing is cementing that partnership. Overall, there is limited knowledge of the economic benefits of prioritizing public procurement opportunities within the region, so education will be instrumental in initiating local conversations and efforts.

## REGIONAL STRENGTHS TO ENHANCE PUBLIC PROCUREMENT

### 6. There is interest in supporting a localized public procurement process.

San Bernardino County has a strong network of small business service providers that provide capacity building (e.g., technical assistance, lending, and resources) and are working together to improve access and opportunity for small businesses. The Inland Empire Chamber Alliance and other stakeholders are interested in improving access to public procurement opportunities. However, the local demand for small business mentorship and procurement assistance is so great that these entities can only adequately assist some of those who desire it. Staffing and funding shortfalls are core challenges needed to meet the demand. Further, small business providers are developing pilot programs to improve access to opportunities. For example, Uplift San Bernardino, a collective impact initiative focused on the city of San Bernardino, adapted the public health outreach model and is deploying 'business ambassadors' to build relationships with hard-to-reach small businesses and connect them to resources. The details of this outreach plan will be available in Fall 2023. There is an opportunity to learn from this initiative and replicate best practices in disadvantaged communities and remote areas of the County.

### 7. Strengthening relationships is crucial to enhancing the public procurement process in the County of San Bernardino.

Given the complexity of the procurement process, there is a desire for networking opportunities from small business providers and related organizations to connect with cities and vice versa and from small businesses to receive mentorship support throughout the process. Chambers and business councils are trusted sources and have direct relationships with businesses and small business providers, especially with the Inland Empire Small Business Development Center (IE SBDC). However, it is important to underscore that not all chambers have equal resources to implement services. Larger Chambers sometimes benefit from businesses in neighboring cities with less active chambers in their jurisdiction. Anchor institutions are also exploring and/or implementing public procurement programs that benefit local small businesses, and there is interest in sharing best practices and aligning processes where possible. A public procurement process that integrates mentorship and networking opportunities is essential to improving opportunities for small businesses.

### 8. Local and National organizations are implementing programs in the County of San Bernadino that can be leveraged.

Various organizations often collaborate to improve opportunities for small businesses. The MCISC, for example, developed a [Small Business Resources & Assistance Tool](#) that connects small businesses to service providers and microlender nonprofit organizations that provide no-cost, low-cost service to small business owners. These organizations have long-standing relationships working to streamline small businesses' needs. Information sharing, joint networking, advertising each other's programs, and focusing on specific geographics are all strategies that are being implemented to improve opportunities for small businesses in the County. The Aspen Institute City Action Lab also works with several organizations and stakeholders, focusing on "generating long-term, inclusive growth through business ownership" in the city of San Bernardino. One of the key strategies being pursued is establishing a centrally located Entrepreneurial Resource Center (ERC) to provide access to small business training and technical assistance. There is an opportunity to leverage these local and national partnerships to implement recommendations.

### 9. Informal bids as an initial step to boost public procurement opportunities for local and small businesses.

According to the IE SBDC, the top small business services offered in the County of San Bernardino are:

- Janitorial/janitorial supplies
- Construction
- Construction support services
- Professional services (marketing, IT, etc.)

Most of these services are procured by municipalities through informal bids, expediting the process and minimizing administrative burden. The SBDC IE offers a program, the Center for Contracting, focused on centralizing access to regional public procurement opportunities and technical assistance to small businesses with certifications, bid process, and contract management. Four cities and the County are listed on their website and linked to contracting opportunity bids. Similarly, the NLWBA-IE has a vendor portal that matches businesses to procurement opportunities as part of their procurement and business matching program, Latina BizMatch: Inclusive Matchmaking at the Latina BizCon. These service partners can provide insight and support in developing a robust program for informal bids.



### BEST PRACTICES: CASE STUDIES FROM OTHER PUBLIC SECTOR AGENCIES

There is consensus that public procurement is a key tool in making economies more equitable among agencies at all levels of government, from cities to the federal government. President Biden signed the executive order “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government” on his first day in office on January 21, 2021. It acknowledged the barriers that small businesses and underserved communities face in dealing with federal government procurement and called for an equity review and plan for addressing the barriers identified in government purchasing. The Office of Management and Budget (OMB) conducted the equity review and produced a report that listed three primary challenges for equitable procurement: inadequate outreach to vendors, opacity of federal procurement to potential vendors, and lack of attention to equity within purchasing agencies.

SBA also launched the Community Navigator Program, which will directly support 51 community hubs. These hubs will work with smaller spoke organizations in their geographic region to help with outreach, education, and technical assistance for small businesses. This hub and spoke model is meant to reach business owners through organizations that are already connected and have established trust, with the expectation that it will increase the accessibility of the federal government’s program to potential federal contractors.<sup>3</sup> Many cities share the federal government’s equity goals for procurement. Three case studies, Detroit, Michigan, Long Beach, California, and St. Paul, Minnesota, exhibit how these goals can be championed and implemented locally.

OMB then provided high-level recommendations for changes to the federal procurement process to be carried out by the Small Business Administration (SBA). They included:

- data prioritization (data about spending to small businesses disaggregated by race and ethnicity of business owners),
- goal setting (increase the percentage of federal procurement spending with SBDs by 50 percent over five years) and
- structural changes (introducing human-centered components of a whole-of-organization approach, which included meeting equity goals as part of performance metrics for federal agencies’ senior leadership and ensuring that officials charged with SBD utilization have direct access to agency leadership).<sup>2</sup>

<sup>2</sup> “The Benefits of Increased Equity in Federal Contracting.” The White House. December 1, 2021. [The Benefits of Increased Equity in Federal Contracting | CEA | The White House](#)

<sup>3</sup> “Procurement Lessons From the World’s Biggest Purchaser.” Aspen Institute. March 21, 2022. [Procurement lessons from the world’s biggest purchaser - The Aspen Institute](#)

### DETROIT, MICHIGAN

In 2020, Detroit Mayor Mike Duggan established the Detroit Equity Council in response to national social justice protests and the disparities exacerbated by the COVID-19 pandemic. The Equity Council included the sub-council on Procurement Equity, which created two key initiatives for making their public procurement process more equitable: quicker pay and multi-contracting.

**Quicker Pay:** Small and micro businesses often operate on very tight budgets dedicated to payroll and the immediate work they are contracted to do. Government contract payouts are often a timely process, which can be particularly challenging for these small businesses. Paying contractors faster can help them compete for contracts and thus grow their businesses. In 2021, the Office of Contracting and Procurement started a pilot program to provide a set of projects completed by small and micro businesses with net immediate or net 7-day payment terms. The program’s success has led to continued efforts to expand quicker payment terms to more small businesses.

**Multi-Contracting:** The initiative divides large contracts into multiple smaller contracts to create a more equitable playing field for small businesses to compete.<sup>4</sup>

The City of Detroit partnered with the Detroit Economic Growth Corporation, a small business development center and the City’s economic development catalyst, to create BuyDetroit. This online platform serves as a central hub for the procurement of local goods and services. BuyDetroit is unique in that it provides private procurement opportunities to small businesses in their search for opportunities in a central location. It provides resources and capacity-building workshops for small businesses, helping them compete for contracts, and seeks to serve as a networking space, assisting small businesses to gain consideration by large firms. BuyDetroit also drives inclusivity and diversity in the local supply chain. This includes assisting under-represented Detroit companies where access previously has been denied. The City and its community partners conduct outreach to vendors from under-represented communities to register with the site and take advantage of its free resources and opportunities.<sup>5</sup>

<sup>4</sup> Equity Council 2021 Report. City of Detroit. <https://detroitmi.gov/sites/detroitmi.localhost/files/2022-03/CRIO-EC%20Annual%20Report%202021-PRES-Draft%20Final.pdf>

<sup>5</sup> “BuyDetroit: Local Procurement Program Enables Small Business Growth, Diversity, and Job Creation.” Detroit Economic Growth Corporation. <https://www.degc.org/buydetroit-local-procurement-program-enables-small-business-growth-diversity-and-job-creation/>



## LONG BEACH, CALIFORNIA

Bloomberg Philanthropies (BP) is available to support select cities, dedicating themselves to using procurement to advance equity goals. BP supports procurement reform through programs including the City Data Alliance, innovation teams, and the Bloomberg Harvard City Leadership Initiative, in partnership with the leading procurement experts Harvard Kennedy School Government Performance Lab (GPL). Long Beach, California, is one of the pilot cities receiving support from BP and GPL to completely overhaul their procurement system to redesign it with equity-centered goals and practices.

Like many other cities reexamining their procurement practices, the City of Long Beach's procurement reform efforts stemmed from establishing new equity frameworks. The City's ["Everyone In" Economic Inclusion Plan](#), [Racial Equity and Reconciliation framework](#), and the [Long Beach Recovery Act](#) identify procurement improvements as a way to advance city equity goals. They created a new position, Recovery and Equity in Contracting Officer, to oversee the changes to meet the City's equity goals.

The City of Long Beach had a notably robust outreach process, inclusive of small business owners, community-based organizations, and City staff. They surveyed nearly 500 potential vendors, asking them how the public contracting process could be improved. City representatives went to community events to encourage vendors to bid on city projects and partnered with community-based organizations to expand outreach to small businesses. The predominant theme of feedback gained during this outreach process was that the public procurement process is confusing and cumbersome. "We heard, 'I'm a small business—how do I have time to submit this 40-page proposal when I'm trying to keep my business afloat?' Our takeaway was that we needed to start figuring out how to reduce barriers." (Michelle Wilson, Purchasing Agent).<sup>6</sup>

Access became a central priority for the City after this feedback. This included language access and a welcoming, inclusive, and approachable tone within procurement documents. They are working on digitizing all vendor resources and prioritizing information requests to prevent redundancies that make responding to RFPs onerous.

The City also engaged internal departments about what was needed to make the procurement process more user-friendly internally. City employee input was used to inform the redesign of procurement forms, RFP templates, and exercises to help predict when, where, and how they would need to better engage with vendors. The City also created the Procurement University to train employees since the City's procurement is decentralized. The program has trained more than 130 employees and received positive feedback. These efforts reduced the average RFP issuance to award from 8 months to 3.5 months.<sup>7</sup>

Notably, the City of Long Beach prioritized setting measurable goals throughout this procurement overhaul, and these goals evolved while they gained stakeholder input. Core indicators accompanied the goals to track whether the city is on track with hitting procurement objectives.

*The City of Long Beach published these goals for its procurement and purchasing.*

**Results-Driven.** In 95% of high priority contracts strategic goals are defined; contract performance is managed and used to inform renewal decisions.

**Best Value.** >85% of citywide staff report procurement processes result in high quality goods and services, at competitive prices.

**Service.** >95% of citywide staff responsible for procurement functions are trained on procurement best practices and results-driven contracting strategies within six months of assuming the role.

**Efficient.** 30% reduction in cycle times for RFPs (<6 month average cycle time for RFPs and ITBs).

**Competitive.** >85% of solicitations are competitive (receive ≥3 responses).

**Fair.** No solicitations receive a protest that is substantiated by a neutral independent source.

**Equitable.** Small / Local / Diverse / Disadvantaged vendors bid at rates that match availability.

**Transparent.** >85% of bidders believe the solicitation process is transparent.

Further, 100% of service contracts have defined goals (up from 10 percent in just two years). Vendor outreach has also resulted in a 114-percent jump in the number of vendors bidding on American Rescue Plan Act (ARPA) contracts, including large increases among women- and minority-owned businesses.

### LONG BEACH KEY ELEMENTS

- Formal Bids over \$100,000 are posted in the classified section of the Long Beach Press-Telegram,
- There is a 10% Local Preference policy on bids for materials, supplies, equipment, or nonprofessional services. Only businesses with a current, valid business license from the City showing a place of business within city limits AND a Seller's Permit from the State Board of Equalization where the permit lists a Long Beach address are eligible for this program.
- An agreement with insurance servicers was established to provide low-cost insurance alternatives to assist small businesses in meeting City insurance requirements for small, low-risk projects.
- A Business Resources website was launched to support small businesses at various stages of growth.
- A link to the SBA was created to provide bond assistance and help guarantee bonds for contracts of up to 2M.

## ST. PAUL, MINNESOTA

Like many other cities, St. Paul sought to reform its procurement practices to center equity. Like Long Beach, St. Paul's procurement redesign benefited from the assistance of the Bloomberg Philanthropies and Harvard Kennedy School Government Performance Lab partnership.

The City wanted to understand why it was not adequately reaching small businesses and businesses of color, so it implemented structural changes to its procurement process, including an online bidding platform where vendors could download bids for free. The City also revised the language of bids to be approachable and accessible and trained AmeriCorps volunteers on the City's online vendor system to assist business owners at libraries. The City created monthly one-day Central Certification Program (CERT) community workshops, where vendors can register as a minority-owned business enterprise (MBE), a woman-owned business enterprise (WBE), or a small business enterprise (SBE). Most importantly, these certifications are recognized regionally by Minneapolis, Hennepin, and Ramsey Counties so that vendors do not have to register for certification individually with these municipalities. After these changes, the City has seen a dramatic increase in attendance at the annual procurement fair.

The City has also changed its five-year agreements to one-year agreements to open contracts to new businesses. They have also broken larger projects into small subcontracts to increase opportunities for new and small businesses. Further, St. Paul has removed financial barriers small businesses face: city projects up to \$100,000 no longer require bonds.

Making the procurement process more transparent and accessible was only the first step. The City sought to expand equity by assisting small businesses, especially minority-owned small businesses, to grow through the new Construction Partnering Program (CPP). The CPP is administered by the Metropolitan Economic Development Association and the Association of Women Contractors and supports emerging small businesses owned by women and minorities by fostering long-term relationships between them and industry leaders.

<sup>6</sup> "Procurement is Reforming How Cities Work." Bloomberg Cities Network. February 1, 2023. [Procurement is reforming how cities work | Bloomberg Cities \(jhu.edu\)](#)

<sup>7</sup> Betsy Gardner, "Long Beach Leads the Way on Inclusive Procurement." Bloomberg Center for Cities at Harvard University. February 28, 2022. <https://datasmart.hks.harvard.edu/long-beach-leads-way-inclusive-procurement>

<sup>8</sup> "Seattle and Syracuse Set Out to Prove the Power of Procurement." Bloomberg Cities Network. August 17, 2022. [Seattle & Syracuse set out to prove the power of procurement | Bloomberg Cities \(jhu.edu\)](#)

<sup>9</sup> "How the City of St. Paul is Reforming its Procurement Policies to Open Opportunities to Inner City Businesses." Initiative for a Competitive Inner City. [How the City of St. Paul is Reforming its Procurement Policies to Open Opportunities to Inner City Businesses - ICIC](#)

<sup>10</sup> "Expanding Opportunity in City Contracts: St. Paul's Racial Equity Strategy." PolicyLink. March 30, 2017. [expanding-opportunity-in-city-contracts \(policylink.org\)](#)

## RECOMMENDATIONS

The county of San Bernadino is home to a strong network of small business providers that offer no-cost or low-cost technical assistance and lenders to provide access to capital. These partners have been working together for over ten years through the Microenterprise Collaborative of Inland Southern California and, most recently, through Uplift San Bernardino and the Aspen Institute to strengthen the small business ecosystem with the goal of engaging small businesses in services and training that will lead to economic opportunity. This offers a unique opportunity for the SBCOG to work with its member jurisdictions, build on this groundwork, and continue to develop the path toward implementing a more accessible, equitable public procurement process for local and small businesses that will lead to economic prosperity for the County.

Based on the findings above, the following recommendations were curated for consideration in response to the existing landscape and best practices found in case studies.

1. Develop a Centralized System to streamline and standardize access to public procurement opportunities within the County. This would require creating a uniformed portal where cities can post opportunities using simplified language and agreed-upon application requirements to facilitate access of public procurement opportunities for small businesses.

**Phase I:** Development of a contact list of local small businesses that cities can contact for informal bids, especially for emergency-related work, that includes recommendations from other cities. Each implementation partner listed below hosts a website that can be leveraged to support a clearinghouse for cities. Additionally, according to the CA Department of General Services, [CaleProcure](#) is the state marketplace that contains information on contract opportunities and can be used to search certified SBs/DVBEs and the [Supplier Clearing House](#) is open to the public and can be utilized by the County or other jurisdictions for their procurement efforts. However, it does not include all businesses, only those registered.

- a. **Recommended implementation:** County and Cities
- b. **Implementation partners:** SBCOG, SBDC IE, NLWBA-IE, and MCISC

**Phase II:** Standardize informal bids across the County, where possible, thresholds, application language, and insurance requirements. This includes the creation of a public-facing guidebook that is informative and easy to find on each jurisdiction's website, directing small businesses to the host portal website for informal bid opportunities and resources for obtaining certifications, insurance, and assistance in completing bid application.

- a. **Recommended implementation:** County and Cities
  - b. **Implementation partners:** SBCOG, SBDC IE Center for Contracting, NLWBA-IE
2. Establish a Local Small Business Preference Policy. Award preference points to certified small business enterprises. This typically includes an award of 5-10 extra points, which is enough to assist a small business in winning a contract but not enough to make the bidding process less competitive. The [State of California](#) offers a 5% award for small businesses, wherein 5% of the final bid price is subtracted. The [City of Los Angeles](#) has a Local, Small Business Preference, where they designate awards between 5 and 10% of the bid price, contingent on project size and whether the certified business is the main contractor or a subcontractor (fewer points awarded for projects over \$150,000 and in projects where the subcontractor is the certified Local or Small Business). These preferences give small businesses a slight advantage in the competitive bidding process, where they often do not operate at a large scale to offer as low prices as bigger businesses. By implementing such a preference, local governments can make their cities more conducive to small business success and help their local economies thrive. SBCOG may wish to create a draft preference policy for its member jurisdictions to choose to opt in to and adapt as needed.

- a. **Recommended implementation:** County and Cities
- b. **Implementation partner:** SBCOG

3. Create a regionally recognized small business certification that individual jurisdictions may opt in. This can be amplified by free workshops that small businesses can attend to receive assistance and obtain a certification on the same day.

a. **Recommended implementation:** SBCOG

4. Collaborate on vendor and procurement fairs where municipalities, chambers of commerce, business councils, and small business providers can meet with businesses to share information on public procurement opportunities. These events could include networking opportunities, training on the procurement and vendor registration processes, and opportunities for small business owners to provide feedback on the procurement process. This type of event would also need to be held at a convenient time and location to provide certification training.

a. **Recommended implementation:** SBCOG

b. **Implementation partners:** Cities, County, Small Business Providers, Business Councils

Long-term implementation strategies for developing an equity-centered economic plan can be achieved by establishing measurable regional equity goals for procurement focusing on Black, Latino, and other minority-owned small businesses. This requires a thorough review and understanding of each jurisdiction’s procurement funds secured by Black, Latino, and other Minority-owned small businesses. The findings will determine what strategies to implement based on the community’s needs. Some effective strategies implemented by other municipalities have included:

- Identifying other types of procurement contracts beyond informal bids that can be streamlined as a jurisdiction/region.
- Changing the practice of multi-contracting, where larger contracts are broken down into multiple smaller contracts, so there is a more approachable and equitable playing field for small businesses to compete and win public contracts.
- Shifting contract awarding methods from the lowest bidder to prioritizing local bids to support the local economy.
- Employing targeted outreach strategies to reach and engage local small businesses, especially in low-income communities, in public procurement opportunities.
- Pairing a communication strategy with outreach focused on identifying and engaging small businesses and connecting them to small business providers to prepare them for procurement opportunities.

Numerous experts within the County are working to improve and leverage funding for capacity building for small businesses that will lead to their growth. It would be prudent to work as a region to support strategies focused on enhancing public procurement processes for local small businesses that are intentional and strategic to ensure the success of the regional economy.

It should be noted that most of the implementation partners are being convened on a monthly basis by Uplift San Bernardino, a collective impact network that is focusing and aligning small business services in the City of San Bernardino.

These initial actions can foster the growth of small businesses, boosting local employment opportunities for residents and generating local tax revenue for the region. Furthermore, expanding public procurement opportunities to support a more equitable regional economy development plan can also lead to:

- a new pool of vendors to increase competition while simultaneously providing municipalities with more options to ensure they receive the best service.
- direct and substantial socioeconomic benefits to the region.





9692 Haven Ave., Suite 100 | Rancho Cucamonga, CA 91730  
[amplifycommunities.org](http://amplifycommunities.org)



1

**Small Business Equity**  
*Study Goals*

- Help Small Businesses gain and complete government contracts successfully.
- Understand Public Agency procurement/contracting across region
- Identify small business provider partners, model programs, and best practices

**Board Direction**

- Equity Ad Hoc Committee
- Resolution 21-037

**NOW THEREFORE BE IT RESOLVED**, that the San Bernardino County Transportation Authority (SBCTA) and SBCOG are committed to programs and practices that provide services and opportunities equitably and will further this commitment by:

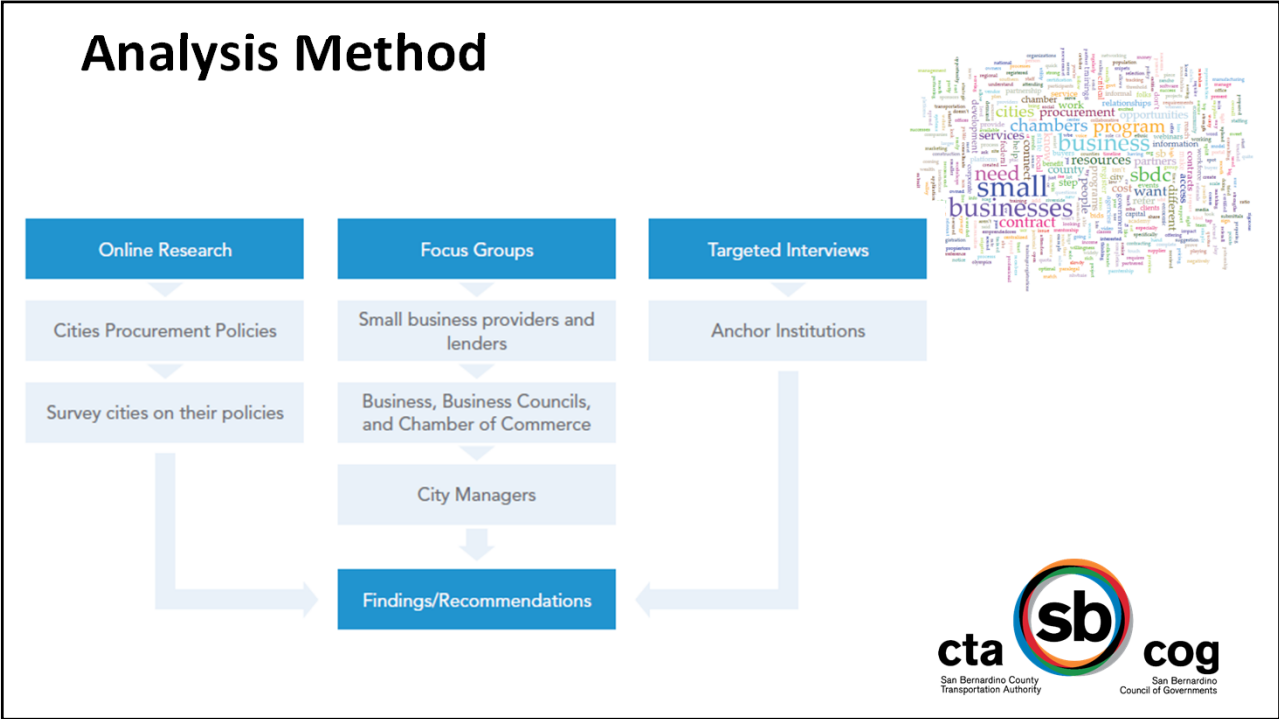
1. Examining the practices that SBCTA uses in planning, evaluating, procuring and building transportation projects.
2. Creating tools that can be used by all of our members to better understand how issues of equity impact the built environment.
3. Providing the regional forum where efforts that work toward promoting a fair and just region; eliminating barriers that reduce opportunities for residents; and meaningfully advancing justice, equity, diversity, and inclusion can be discussed.

**cta**  
San Bernardino County  
Transportation Authority

**cog**  
San Bernardino  
Council of Governments

2

Attachment: September 2024 Presentation of Final Memo (10650 : San Bernardino Region Public Procurement Memorandum)



3


# Stakeholder Focus Groups and Interviews

Cal State University San Bernardino, Re-Entry Operations	Loma Linda University Health System	Common Spirit Health (St. Bernardine's Medical Center)	Making Hope Happen Foundation
SoCal Black Chamber of Commerce	Community Health Action Network	People's Collective for Environmental Justice	Arts Connection Network
Inland Empire Health Partnership	IE United	High Roads Training Partnership	NALEO Educational Fund
Young Visionaries Youth Leadership Academy Inland Empire	Reach Out 29	El Sol Neighborhood Educational Center	Step Up
Riverside San Bernardino County Indian Health	San Bernardino County Sheriff's Department	San Bernardino County Department of Public Health	SBCTA/SBCOG PETF

4

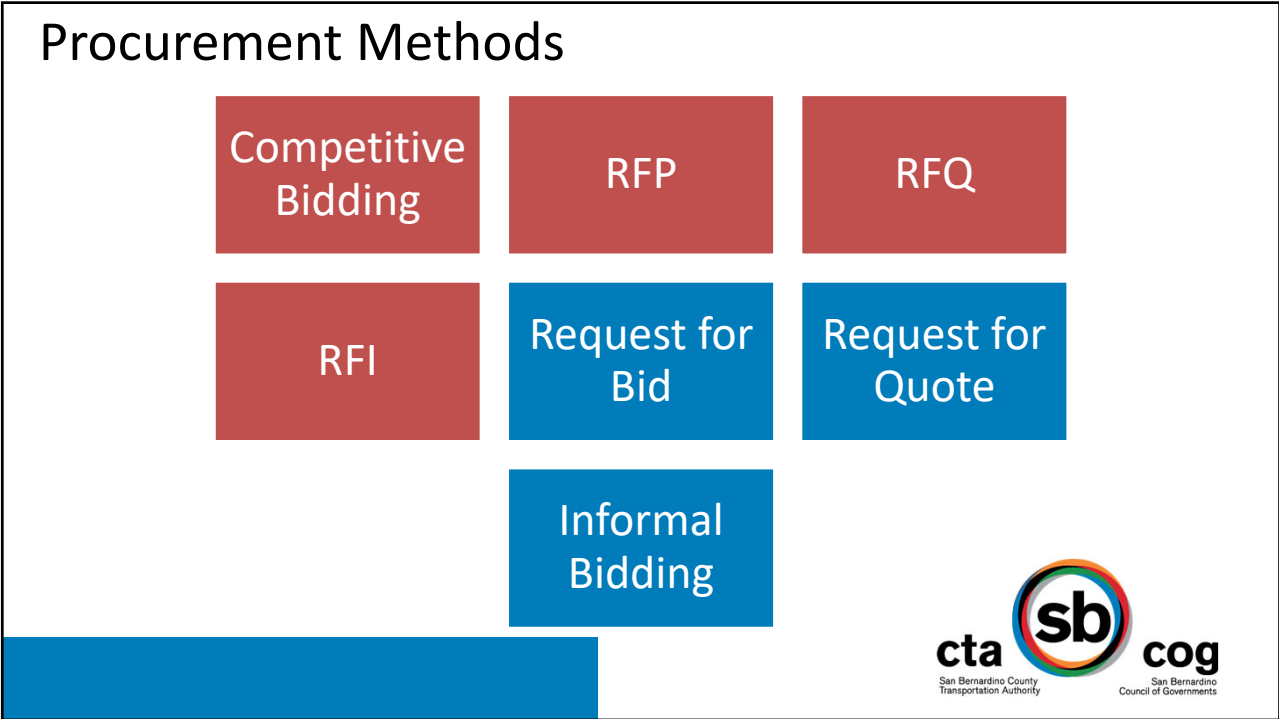
Attachment: September 2024 Presentation of Final Memo (10650 : San Bernardino Region Public Procurement Memorandum)

Types of Contracts	Description/Examples
Purchases of Supplies and Equipment	Purchase of goods or commodities
Public Works/CIP	Projects for creation, improvement, repairing of public buildings, waterfronts, streams, etc.
Professional Services	Hiring of private consulting firms specializing in private architecture, engineering, land surveying, and construction PM
General Services	Hiring for building maintenance, custodial, landscape, and other general services.



cta **sb** cog  
San Bernardino County Transportation Authority      San Bernardino Council of Governments

5



6

Attachment: September 2024 Presentation of Final Memo (10650 : San Bernardino Region Public Procurement Memorandum)

Small Business Study  
FINDINGS



7

# Challenges for Small Businesses

Public Procurement Process is complex and difficult to navigate	Notification of solicitation opportunities is heavily relationship-driven	Access to capital and payment delays are hurdles for small businesses	Multiple Public Agencies with different policies and processes
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8

Attachment: September 2024 Presentation of Final Memo (10650 : San Bernardino Region Public Procurement Memorandum)




# Regional Assets


<p>Interest from local partners to support options</p>	<p>Local and national organizations are implementing programs in San Bernardino that can be leveraged</p>	<p>Informal bids are an accessible entryway for boosting public procurement participation amongst small businesses</p>
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9


## Findings – Barriers to Public Contracts

- 



Navigating the procurement process is difficult to navigate for small businesses
- 

In region, 20+ websites with different procurement regulations and requirements
- 

Small businesses need specialized training and support to succeed at accessing procurement opportunities
- 

Access to capital and payment delays are hurdles
- 

Designing and executing more equitable public procurement methods that benefit small businesses will require more resources and collaboration

10

Attachment: September 2024 Presentation of Final Memo (10650 : San Bernardino Region Public Procurement Memorandum)

## Findings – Opportunities

- There is interest in supporting a localized public procurement process
- Strengthening relationships is crucial to enhancing the public procurement process
- Local and National organizations are implementing programs that we can leverage
- Informal bids as an initial step to boost public procurement opportunities for small businesses
- A strong network of small business service providers that provide capacity building (e.g., technical assistance, lending, resources) already exists
- Small business providers are interested in improving access to public procurement opportunities



11

## Recommendations

- Develop Centralized System to streamline and standardize access to public procurement opportunities among member agencies
- Establish a Small Business Preference Policy
- Create a regionally recognized small business certification that individual jurisdictions may opt in
- Collaborate on vendor and procurement fairs



12

Attachment: September 2024 Presentation of Final Memo (10650 : San Bernardino Region Public Procurement Memorandum)

# Thank You

## Questions?



# Additional Information

**GENERAL POLICY COMMITTEE ATTENDANCE RECORD – 2024**

Name	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
<b>Dawn Rowe</b> Board of Supervisors				X		X		X				
<b>Curt Hagman</b> Board of Supervisors		X	X	X	X	X		<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
<b>Joe Baca, Jr.</b> Board of Supervisors			X	X	X	X		X				
<b>Paul Cook</b> Board of Supervisors		X	X	X		X		<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
<b>Jesse Armendarez</b> Board of Supervisors		<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>		X				
<b>Art Bishop</b> Town of Apple Valley		X	X	X	X	X		X				
<b>Ray Marquez</b> City of Chino Hills		X	X	X	X	X		X				
<b>Frank Navarro</b> City of Colton		X	X	X	X	X		X				
<b>Acquanetta Warren</b> City of Fontana			X	X	X			<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>
<b>Larry McCallon</b> City of Highland		X	X	X		X		X				
<b>John Dutrey</b> City of Montclair		<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>						
<b>Alan Wapner</b> City of Ontario					X			X				
<b>Helen Tran, Mayor</b> City of San Bernardino		<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>	<del>X</del>		X				
<b>Debra Jones</b> City of Victorville			X	X								
<b>Rick Denison</b> Town of Yucca Valley		X	X	X	X	X		X				

Communication: Attendance (Additional Information)

X = Member attended meeting.  
Shaded box = No meeting.

\* = Alternate member attended meeting.

Empty box = Member did not attend meeting.

Crossed out box = Not a Board Member at the time.

**Acronym List**

This list provides information on acronyms commonly used by transportation planning professionals. This information is provided in an effort to assist Board Members and partners as they participate in deliberations at Board meetings. While a complete list of all acronyms which may arise at any given time is not possible, this list attempts to provide the most commonly-used terms. Staff makes every effort to minimize use of acronyms to ensure good communication and understanding of complex transportation processes.

AB	Assembly Bill
ACE	Alameda Corridor East
ACT	Association for Commuter Transportation
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
APTA	American Public Transportation Association
AQMP	Air Quality Management Plan
ARRA	American Recovery and Reinvestment Act
ATMIS	Advanced Transportation Management Information Systems
BAT	Barstow Area Transit
CALACT	California Association for Coordination Transportation
CALCOG	California Association of Councils of Governments
CALSAFE	California Committee for Service Authorities for Freeway Emergencies
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CMAQ	Congestion Mitigation and Air Quality
CMIA	Corridor Mobility Improvement Account
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COG	Council of Governments
CPUC	California Public Utilities Commission
CSAC	California State Association of Counties
CTA	California Transit Association
CTC	California Transportation Commission
CTC	County Transportation Commission
CTP	Comprehensive Transportation Plan
DBE	Disadvantaged Business Enterprise
DEMO	Federal Demonstration Funds
DOT	Department of Transportation
EA	Environmental Assessment
E&D	Elderly and Disabled
E&H	Elderly and Handicapped
EIR	Environmental Impact Report (California)
EIS	Environmental Impact Statement (Federal)
EPA	Environmental Protection Agency
FHWA	Federal Highway Administration
FSP	Freeway Service Patrol
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GFOA	Government Finance Officers Association
GIS	Geographic Information Systems
HOV	High-Occupancy Vehicle
ICTC	Interstate Clean Transportation Corridor
IEEP	Inland Empire Economic Partnership
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IIP/ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation Systems
IVDA	Inland Valley Development Agency
JARC	Job Access Reverse Commute
LACMTA	Los Angeles County Metropolitan Transportation Authority
LNG	Liquefied Natural Gas
LTF	Local Transportation Funds

**Acronym List**

MAGLEV	Magnetic Levitation
MARTA	Mountain Area Regional Transportation Authority
MBTA	Morongo Basin Transit Authority
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MOU	Memorandum of Understanding
MPO	Metropolitan Planning Organization
MSRC	Mobile Source Air Pollution Reduction Review Committee
NAT	Needles Area Transit
NEPA	National Environmental Policy Act
OA	Obligation Authority
OCTA	Orange County Transportation Authority
PA&ED	Project Approval and Environmental Document
PASTACC	Public and Specialized Transportation Advisory and Coordinating Council
PDT	Project Development Team
PNRS	Projects of National and Regional Significance
PPM	Planning, Programming and Monitoring Funds
PSE	Plans, Specifications and Estimates
PSR	Project Study Report
PTA	Public Transportation Account
PTC	Positive Train Control
PTMISEA	Public Transportation Modernization, Improvement and Service Enhancement Account
RCTC	Riverside County Transportation Commission
RDA	Redevelopment Agency
RFP	Request for Proposal
RIP	Regional Improvement Program
RSTIS	Regionally Significant Transportation Investment Study
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agencies
SB	Senate Bill
SAFE	Service Authority for Freeway Emergencies
SAFETEA-LU	Safe Accountable Flexible Efficient Transportation Equity Act – A Legacy for Users
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCRRA	Southern California Regional Rail Authority
SHA	State Highway Account
SHOPP	State Highway Operations and Protection Program
SOV	Single-Occupant Vehicle
S RTP	Short Range Transit Plan
STAF	State Transit Assistance Funds
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TCIF	Trade Corridor Improvement Fund
TCM	Transportation Control Measure
TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TEA	Transportation Enhancement Activities
TEA-21	Transportation Equity Act for the 21 <sup>st</sup> Century
TMC	Transportation Management Center
TMEE	Traffic Management and Environmental Enhancement
TSM	Transportation Systems Management
TSSDRA	Transit System Safety, Security and Disaster Response Account
USFWS	United States Fish and Wildlife Service
VCTC	Ventura County Transportation Commission
VVTA	Victor Valley Transit Authority
WRCOG	Western Riverside Council of Governments



## MISSION STATEMENT

Our mission is to improve the quality of life and mobility in San Bernardino County. Safety is the cornerstone of all we do.

We achieve this by:

- Making all transportation modes as efficient, economical, and environmentally responsible as possible.
- Envisioning the future, embracing emerging technology, and innovating to ensure our transportation options are successful and sustainable.
- Promoting collaboration among all levels of government.
- Optimizing our impact in regional, state, and federal policy and funding decisions.
- Using all revenue sources in the most responsible and transparent way.

Approved December 4, 2019